

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1210766-0

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Mr. Holloman _____
Miss Gandy _____

Date: 6/30/59

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

TO DIRECTOR, FBI (61-7582)

FROM SAC, WFO (100-22169)

HCUA

6/30/59: HCUA made the following press release today,

"The Committee on Un-American Activities will receive testimony in public session on Wednesday, July 1, 1959, beginning at 10:00 A. M. respecting Communists and persons with significant records of affiliation with the Communist movement whose work is to be displayed in the American National Exhibition in Moscow," Congressman FRANCIS E. WALTER (D-Pa.), Chairman of the Committee announced today.

"Mr. WHEELER WILLIAMS, President of the American Artists Professional League, Inc., and Mr. FRANK C. WRIGHT, JR., also of the League will testify in public session. Thereafter, the Committee will hear certain testimony in executive session," Congressman WALTER stated.

"The hearings will be held in the Caucus Room, 362 Old House Office Building, Washington, D. C."

- ③ - Bureau
1 - Newark (RM)
1 - New Haven (RM)
1 - New York (RM)
1 - WFO

REC- 9

EX 109

23 JUL 6 1959

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(7)

AIRTEL

C C - Wick

Approved:

Sent _____ M Per _____

62 JUL 10 1959

Special Agent in Charge

F B I

Date: _____

Transmit the following in _____
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(Priority or Method of Mailing)

WFO 100-22169

Mr. DONALD APPEL, HCUA, advised SA JOSEPH A. CONNORS, JR., on 6/30/59, that BEN SHAHN, Roosevelt, N. J., and PHILIP EVERGOOD, South Berry, Conn., will be heard in Executive Session. Mr. WILLIAMS and Mr. WRIGHT are from New York City.

- 2 -

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

1 - Turner

SAC, Baltimore

July 2, 1959

Director, FBI

HOUSE COMMITTEE ON UN-AMERICAN 95315
~~ACTIVITIES~~ REPORT ENTITLED "PATTERNS
OF COMMUNIST ESPIONAGE"
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE)

In January, 1959, the Committee on Un-American Activities, House of Representatives, published an 81-page report entitled "Patterns of Communist Espionage." In Chapter 2 of this report, pages 11 through 23, there are cited a number of cases indicating Soviet-bloc recruitment activities. The Bureau has attempted to identify these cases and has been in contact with the HCUA in this regard. However, based upon the information furnished by the HCUA it has not been possible to identify all of the cases. Enclosed for Baltimore is a memorandum containing an excerpt pertaining to one of these cases which was written up under the heading "Reciprocation." According to the HCUA, the subject of this case is Rosa Karasik, which was believed to be a fictitious name. The subject's parents were reportedly born in the U.S. but her grandparents were born in Czechoslovakia and still reside in that country. This subject was and still may be employed at the Glenn L. Martin Company in Maryland.

Enclosed for Boston is an excerpt pertaining to a case which was written up under title "Unwitting Courier." According to the HCUA, the subject of this case was reportedly named Bortch which was considered a fictitious name. The subject was reported to be a ⁴¹⁹⁶ ~~man~~ ⁵⁶ ~~man~~ and is from the Boston area. He reportedly has five children, the oldest of which is a ^{REC-91} ~~man~~ ⁵⁶ ~~man~~.

Bufiles contain no information which can be identified with these write-ups or which could identify the individuals involved therein. The HCUA has pointed out that the facts set forth in the excerpts have, in many instances, been considerably altered and names have been changed to provide protection for the subjects of the write-ups. Although it does not appear that Bureau

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Holloman _____
Gandy _____

179 Enclosure
2 - Boston (Enclosure)

ETT:cqw

MAIL ☒ TELETYPE UNIT ☐

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JUL 2 1959
FBI
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Sub b/A

Letter to SAC, Baltimore
Re: HOUSE COMMITTEE ON UN-AMERICAN
ACTIVITIES REPORT ENTITLED "PATTERNS
OF COMMUNIST ESPIONAGE"

operations have been jeopardized by the publication of the HCUA which included other write-ups which have been identified with Bureau cases, the Bureau desires to identify the two cases referred to above if possible. Both offices are, therefore, requested to review the excerpts which are enclosed and advise if it is possible to identify these cases. No extensive file reviews are desired but you should make appropriate contact with personnel who could reasonably be expected to recall cases of this kind.

In the event Baltimore and Boston cannot identify these cases, copies of this letter should be forwarded to WFO and New York respectively with the request that those offices initiate similar action in an effort to identify these cases.

95316

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 6/30/59

FROM : *Blag* SAC, LOS ANGELES [REDACTED]

b7D

SUBJECT: [REDACTED]

CS

CS

House Committee ON AMERICAN ACTIVITIES

Re Washington Field Office letter to Bureau dated May 29, 1959 and captioned HCUA. Copies of the 3 part publication by HCUA setting out the transcript of testimony in its hearings at Los Angeles on September 2 - 5, 1958 and February 24 - 25, 1959 were furnished Los Angeles along with the Bureau instructions for reviewing and reporting the material.

Among the numerous "unfriendly" witnesses before the Committee during those hearings were captioned individuals whose testimony is set out at pages 270-273 and 306-312 of the HCUA publication respectively.

Bureau records will reflect that both [REDACTED] [REDACTED] are members of the Los Angeles Police Department who are working in an undercover capacity within the local Communist Party organization. The position each took when subpoenaed before the HCUA was prearranged and authorized by the Los Angeles Police Department.

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2d [REDACTED] has advised that the value of both as informants has been considerably enhanced by the position they took before the Committee. It is not believed the Committee is aware of their true status.

The Bureau is in possession of all pertinent data re both [REDACTED]

- 4 - Bureau (1-61-7582) (REGISTERED)
3 - Los Angeles [REDACTED]

REC-99 20 JUL 6 1959

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MMB:tgr
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ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

03 JUL 13 1959

DATE 3/8/82

BY SP

UNRECORDED COPY FILED IN 62-24550-1

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. DeLoach

DATE: June 25, 1959

FROM : M. A. Jones

SUBJECT: REQUEST OF DICK ARENS
OF HCUA

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Parsons	_____
Rosen	_____
Tamm	_____
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Gandy	_____

Dick Arens of the House Committee on Un-American Activities called yesterday and wanted to know if it would be possible for us to furnish him the addresses of two individuals both of whom are on the faculty of the School of Social Sciences.

The individuals are: (1) Hyman Lumer, Educational Director of the Communist Party and was last heard of in Pittsburgh.
(2) [redacted] who was last heard of in New York.

He said they wanted to subpoena these individuals in the next several months in connection with their inquiry into educational matters and communism. He said with the school closed due to summer recess, it is hard to locate these individuals.

Both of these individuals are on the Bureau's Security Index and their latest available addresses as taken from the Index are as follows:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/8/62 BY [redacted]

Hyman Lumer
Apartment D1
Riverside Palace
640 West 153rd Street
New York, New York

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REC- 44

New York 7 1959

RECOMMENDATION:

It is recommended that someone in your office telephonically contact Arens and furnish him the above information.

F44 DGH:mlw
JUL 13 1959

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (61-7582)

DATE: 7/7/59

FROM : SAC, San Juan (100-6340)

SUBJECT: HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES
SUBVERSIVE CONTROL
INFORMATION CONCERNING

Remylet 6/25/59.

GEORGE WILLIAMS, HCUA Investigator, returned to Puerto Rico today and will be in San Juan for the remainder of this week. As soon as additional details concerning his activities are known, Bureau will be advised.

2 - Bureau (RM)
2 - San JuanJFS:lmm
(4)

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DATE 3/6/62 BY sp6bif

REC-79 61-2582-4199

24 JUL 9 1959

SUBV. CONTROL

67 JUL 14 1959

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (61-7582)

DATE: 7/8/59

FROM: SAC, Pittsburgh (100-13295)

SUBJECT: HCUA

Remylet, 7/1/59.

Since the submission of relet, individual letters have been submitted to the Bureau and appropriate offices concerning the following:

Pittsburgh Division

<u>Name</u>	<u>Bufile</u>	<u>Pittsburgh file</u>
Harold K. Briney	100-242317	100-4214
Matthew Cvetic	100-372409	67-2584A

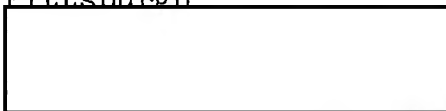
It is noted that CVETIC's name was not included in the list of names in Pittsburgh letter to Bureau, 6/24/59.

Other Divisions

<u>Name</u>	<u>Bufile</u>	<u>Origin</u>
Henry Beitscher	100-2525	Philadelphia
Frank J. Donner	100-25688	New Haven
Zalmon H. Garfield	100-363661	Philadelphia
Ida Mary Lewis	100-383280	New York
Andrew Rudolph Onda	100-9339	New York
[REDACTED]	100-201171	New York
	100-383463	New York
Harold Spencer	100-38284	Philadelphia
Thomas B. Wright	Unknown	New York
Thomas Arthur Shields	100-6906	New York

It is noted that out of a total of 54 letters (not including CVETIC) to be submitted concerning individuals residing within the Pittsburgh Division, 2 have been submitted.

- 1d ② - Bureau (RM)
4 - Pittsburgh



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HEREIN IS UNCLASSIFIED
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PG 100-13295

Out of a total of 38 letters to be submitted concerning individuals residing within other divisions, 10 have been submitted.

It is also noted that the "friendly witnesses" who testified at the HCUA hearings in Pittsburgh on [REDACTED]

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[REDACTED] Inasmuch as these three individuals were all former Pittsburgh security informants and the Bureau is cognizant of their activities and the information previously furnished by them, it is recommended that they not be re-interviewed at this time concerning their HCUA testimony.

A letter concerning the status of this project will be submitted on 7/15/59.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (61-7582)

FROM : SAC, LOS ANGELES (62-1664)

SUBJECT: HOUSE COMMITTEE ON
UN-AMERICAN ACTIVITIES

DATE: 7/6/59

Re Washington Field Office letter to Bureau, copies to Los Angeles, San Diego and San Francisco, forwarding copies of the published transcript of the HCUA hearings which were held at Los Angeles 9/2-5/58 and 2/24-25/59. Relet also set out Bureau instructions for reporting results of Los Angeles review of the transcript.

The transcript reflects a number of references to various high-level Communist Party leaders at the national level, including the following:

EUGENE DENNIS
WILLIAM Z. FOSTER
JAMES E. JACKSON

BENJAMIN DAVIS
JOHN GATES
BOB THOMPSON

Inasmuch as these individuals are subjects in the New York Office, New York is requested to review the references with regard to them and advise the Bureau under the individual caption if the information is already in possession of the Bureau.

For the information of New York, a copy of the three part HCUA publication entitled "Southern California District of the Communist Party - Structure-Objectives-Leadership" is enclosed herewith.

Bureau instructions pertaining to handling reviews of HCUA transcripts are set out below:

Current Bureau instructions direct WFO to obtain transcripts of hearings and to forward them to the office covering the locality of the hearings. The office covering the locality of the hearings should thoroughly review these

- ② - Bureau (REGISTERED)
6 - New York (encl.1)(REGISTERED)
1 - Los Angeles

MMB:mac
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67 JUL 14 1959

ALL INFORMATION CONTAINED

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DATE 5/8/82 BY [signature]
4-19-95 #272640

61-7582-4201
SUBV CONTROL

LA 62-1664

transcripts, advise the Bureau of the identities of each person mentioned, and advise of their subversive activity unless such information is currently in the Bureau's possession. Such data should be submitted under the caption of the various individuals identified. These memoranda must contain a statement as to whether or not the individual has been the subject of Bureau investigation and as to what action is being taken on any new information developed.

In those instances where an individual has been investigated by the Bureau and the new information obtained does not warrant additional investigation, consideration should be given to requesting Bureau authority to interviewing the individual.

In those instances where a person testifies about an individual residing within another division, you are to advise the appropriate office of the nature of the information and of the Bureau's instructions.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (61-7582)

DATE: 7/8/59

FROM SAC, LOS ANGELES (62-1664)

SUBJECT: HCUA

5/29/59. Re Washington Field letter to the Bureau, dated

Los Angeles's review and reporting of the HCUA published transcript of these hearings is proceeding. It is estimated the project is approximately 50 per cent completed and will be finished 7/24/59.

The Bureau will be advised.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/82 BY Sp1at

- 2 - Bureau
1 - Los Angeles

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REC- 93

6 JUL 13 1959

50 JUL 16 1959

INT. SEC.

DIRECTOR, FBI (100-112434)

7/6/59

SAC, LOS ANGELES (100-16439)

FRANK WILKINSON
SM - C
OO: Los Angeles

Re Washington Field letter to Bureau dated 5/29/59
captioned "HCUA."

A review of the report of HCUA hearings held in September, 1958 and February, 1959, entitled "Southern California District of the Communist Party, Structure - Objectives - Leadership," reflects that WILKINSON's name is mentioned several times in the report in connection with questions put to various witnesses concerning their knowledge of WILKINSON. These witnesses, however, refused to admit knowledge of WILKINSON and furnished no information concerning him.

WILKINSON is presently maintained on the security index of the Los Angeles Office. He is presently Executive Secretary of the Citizens Committee to Preserve American Freedoms. The Bureau is in possession of all pertinent information concerning WILKINSON. WILKINSON is not being considered for interview.

- 3 - Bureau (REGISTERED)
1 - 61-7582 (HCUA)
2 - Los Angeles
1 - 62-1664 (HCUA)

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78 JUL 13 1959

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DIRECTOR, FBI (100-112434)

7/6/59

SAC, LOS ANGELES (100-16439)

FRANK WILKINSON

SM - C

OO: Los Angeles

Re Atlanta letter to Bureau dated 6/23/59 captioned as above.

The Los Angeles Office is unable to locate Atlanta letter to Los Angeles dated 3/4/59 mentioned in referenced letter. The Los Angeles Office is also unable to locate any transcript of the HCUA hearings involving WILKINSON which were held in Atlanta, Georgia in July, 1958.

It is to be noted that at the time of these hearings, the New York Office was Office of Origin in this matter. WILKINSON's testimony before the HCUA on 7/30/58 has been reported in detail in the report of SA [redacted] New York, dated 12/15/58.

The Atlanta Office is requested to advise us to further necessary action.

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/6/82 BY 8383 Rample

- 3 - Bureau (REGISTERED)
1 - 61-7582 (HCUA)
2 - Atlanta (100-5772) (REGISTERED)
1 - Los Angeles

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78 JUL 13 1959

53 JUL 16 1959

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STANLEY, PH (100-88733)

7/3/59

SAC, LOS ANGELES (100-39704)

RE: STANLEY, PH

SI - 2

OO: Chicago

HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

Re Washington Field Letter to Bureau dated 5/29/59 captioned "ISRAEL."

A review of the ISRAEL report on hearings held in Los Angeles, California on 9/2-5/59 and 2/24-25/59 entitled, "Southern California District of the Communist Party, Structure-Objectives-Endorsing," revealed that the name SAC [redacted] was mentioned on page 52. At this point in the hearings, STANLEY HENLEY, Chairman, Southern California District Communist Party (SCDCP), was being questioned concerning a meeting of the District Council, SCDCP, held at 677 South Western Avenue, Los Angeles, California, on 7/27/59, and whether or not the following reports were presented at this meeting as the majority report of the District Council, SCDCP:

Report of [redacted] to the National Committee, CP, USA, presented on 6/18/59; a copy of the Labor Policy Statement placed by the National Committee, CP, USA, on 6/20/59; copy of report to the National Committee, CP, USA, on 6/26/59 on the work and consolidation of the Party, by [redacted]

In connection with the above, Committee Counsel [redacted] asked HENLEY the following question which concerns [redacted] name:

"Have you influenced to make any statement before this meeting of July 27th on interparty democracy by reason of the dropping of [redacted] of Chicago, named for election to the National Committee because he did not come to the defense of the [redacted] report?"

HENLEY answered "Same answer."

- 3 - Bureau (1 - 61-7582) (RECORDED)
- 2 - Chicago (100-2745) (RECORDED)
- 2 - Los Angeles
- (1 - 100-8864 - ISRAEL)

TCW:cap
(7)

ALL INFORMATION CONTAINED

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LA 192-33704

HEARNY previously declined to answer questions pertaining to her, basing her refusal to answer on the First, Fifth and Amendments of the Constitution.

The Bureau has set out the following instructions for handling the Hearn case:

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Having the Bureau of identity of each person mentioned in the report and advise of him or her subversive activity unless such information is currently in the Bureau's possession. Such data should be submitted under the control of the individual identified.

These memoranda must contain a statement as to whether or not the individual has been the subject of a Bureau investigation and as to what action is being taken on any new information developed.

If the individual is the subject of a Bureau case and the new information obtained from the report does not warrant additional investigation, you should give consideration to interviewing the individual. Also submit recommendations regarding interviewing any "friendly" witnesses.

In those instances where a person subscribes about an individual residing in another field division, advise the appropriate office by letter of the nature of the information and of the Bureau instructions.

Los Angeles files reflect that Chicago is the office of origin in this case. The Chicago Office is requested to handle this matter in accordance with Bureau instructions set out above.

END.

DIRECTOR, FBI (100-401066)

7/5/59

SAC, LOS ANGELES (100-52571)

CHARLENE ALEXANDER MITCHELL
IS-C

Re Washington Field Office letter to Bureau
dated 5/29/59, captioned "HCUA".

A review of the report of HCUA hearings held
in 9/58 and 2/59, entitled "Southern California District of
the Communist Party, Structure - Objectives - Leadership",
reflects that MITCHELL was called to testify before the
HCUA in Los Angeles on 2/24/59 at which time she refused to
answer any questions concerning her membership or activities
in the Communist Party. Her refusal to testify was based
on immunity afforded by the U.S. Constitution and its
amendments.

MITCHELL's name is also mentioned several other
times in the report in connection with questions put to other
witnesses concerning their knowledge of MITCHELL. These
witnesses, however, refused to furnish any information
concerning MITCHELL.

MITCHELL is maintained on the Security Index of
the Los Angeles Office and is considered a Key Figure in
view of her position as Chairman of the Youth Commission,
SCDCP, and member of the National Committee, CPUSA. The
Bureau is in possession of all pertinent information
concerning MITCHELL. She is not being considered for
interview.

③ - Bureau (1-61-7532-HCUA) (REGISTERED)
2 - Los Angeles
(1-62-1664)

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NOT RECORDED
78 JUL 14 1959

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67 JUL 17 1959

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: 7-6-59

FROM : J. P. Mohr

SUBJECT: THE CONGRESSIONAL RECORD

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In scanning the Congressional Record for Thursday, July 2, 1959, the following item contained therein pertaining to the FBI has been marked for your attention:

Pages 11414-11415, Senator Javits, (R) New York, spoke concerning the controversy which has erupted over part of the United States exhibit at the Moscow fair which will represent American art. Mr. Javits stated "We want no Pasternak case here—Pasternak is so well known to Americans as the writer of 'Dr. Zhivago', who was practically boycotted in his own country. We also do not want Government-controlled taste on the part of the American people. ----- To send them officially dictated art will only be to parrot the performance of their own government." Mr. Javits requested to have printed in the Record an article which appeared in the New York Herald Tribune entitled "President Is Critical Of Art For Moscow—Calls Levine Painting 'Lampoon,' 'His Not So Good, Either,' Is Reply," written by [redacted]

It is stated in the article [redacted] the Downtown Gallery, 32 East 51st Street, New York. She exclaimed: 'Some people think the President's paintings aren't so good either.' The work that struck Mr. Eisenhower as a lampoon is 'Welcome Home,' by Jack Levine, multi-prize-winning New York artist, who is presently on a trip to Greece." The article makes reference to hearings held by the House Committee on Un-American Activities on charges that of the 67 artists whose works are to be exhibited in Moscow, 34, including Mr. Levine, "have records of affiliations with Communists fronts and causes." The article goes on to state [redacted] deplored intimations that many of the artists to be represented had been Communists. They were no such thing, she insisted, adding that Mr. Levine and others have been given passports and have been cleared by the FBI. She intimated that jealous artists whose work had not been selected had put the Un-American Activities Committee up to its investigation."

ENCLOSURE

Enclosure

cc: 1 - Mr. Tolson
1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. M. A. Jones

REC-39

JUL 9 1959

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126 JUL 16 1959

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 3/6/88 BY [redacted]

ORIGINAL FILED IN 66-1731-1731

JUL 17 1959

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1 - Turner

SAC, WFO

July 10, 1959

Director, FBI

REC- 64

61-7582-4203

HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES
REPORT ENTITLED "PATTERNS OF COMMUNIST ESPIONAGE"
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE)

In January, 1959, the Committee on Un-American Activities, House of Representatives, published an 81-page report entitled "Patterns of Communist Espionage." Chapter 2 of this report cited a number of cases illustrating Soviet-bloc recruitment activities. It was stated in this chapter that the names and certain of the facts have been altered to protect the individuals involved. The Bureau has attempted to identify the cases referred to in the HCUA report and has been in contact with the HCUA. However, it has not been possible to identify all of these cases. Enclosed are two excerpts from the HCUA report entitled "For Peace and Better Understanding" and "Enforced Cooperation." Representatives of the HCUA have stated that the names of the real subjects involved in these two write-ups are not known; however, [redacted] of the Czechoslovakian Embassy is involved in both cases and the subjects have been in touch with [redacted]. The Bureau was advised that the Voice of America was also involved but it was not specified how this organization was involved.

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It is requested that WFO carefully review the attached excerpts and compare them with the information in the [redacted] case in an effort to identify the two individuals who are involved. You should keep in mind that the facts have been altered. Advise the Bureau whether there have been any developments in the [redacted] case which appear to have resulted from publication of this material.

Enclosures - 2

1 - 105-41057 [redacted]

ETT:cgw
(5)

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UNRECORDED COPY FILED IN 105-41057-15016

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. DELOACH *W*

FROM : H. L. EDWARDS *W*

SUBJECT: HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES
REPORT ENTITLED "PATTERNS OF COMMUNIST ESPIONAGE"

DATE: June 12, 1959

CONFIDENTIAL

ALL INFORMATION CONTAINED
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DATE 12-22-2014 BY 60322
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McGuire

Brugger

Referring to my memorandum of June 9, 1959, captioned as above, Frank McNamara of the HCUA staff furnished me supplemental information on June 10, 1959, which constitutes the extent of his ability to identify the remaining cases in which the Domestic Intelligence Division is interested.

There were two remaining unidentified cases. Those were: (1) "For Peace and Better Understanding," cited on page 13 of the HCUA report; and (2) "Enforced Cooperation," also cited on page 13.

McNamara stated he does not know the names of the real subjects in either case. Both involve [redacted] the Czechoslovakian Embassy and the unknown subjects had been in touch with him. McNamara said that he is certain the HCUA turned over all the information it had to the Bureau in hope the Bureau could identify the two individuals but so far as he knows the FBI did not furnish the HCUA any further information on these cases, probably for reasons best known to the Bureau.

ESP-03

105-41057

WFO 105-13328

Cap

McNamara also said that the facts are altered in both cases. He knows that there were two individuals and he knows that the Voice of America was also involved.

McNamara thought that with this information the Bureau might be able to clear up the identities of these two remaining cases. He said if we could give him anything further to go on, he would be glad to do some additional research.

RECOMMENDATION:

That this memorandum be referred to the Domestic Intelligence Division with the understanding that nothing further will be done by the Crime Records Division in the absence of a further request from the Domestic Intelligence Division.

- 1 - Mr. Belmont
- 1 - Mr. Jones

HLE:ejp
(4)

CONFIDENTIAL

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (61-7582)

DATE: 7/9/59

FROM : SAC, SAN JUAN (100-6340)

SUBJECT: HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES
SUBVERSIVE CONTROL
INFORMATION CONCERNING

Remylet 7/7/59.

On 7/9/59 GEORGE WILLIAMS, HCUA Investigator, stated that on 7/8/59, with the assistance of [redacted] San Juan, Puerto Rico, he attempted to interview CESAR ANDREU IGLESIAS (Bufile 100-18642). No information of value was obtained from ANDREU since he contended at the outset that WILLIAMS had no right to be in Puerto Rico conducting investigation. ANDREU did admit that at one time he was President of the PCP.

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b7c

On 7/8/59 and 7/9/59 WILLIAMS attempted to contact [redacted] (Bufile 100-371874); however, since [redacted] was on vacation, WILLIAMS was unsuccessful in locating him.

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b7c

On 7/9/59 WILLIAMS interviewed [redacted] (Bufile 100-365512) at his office, and while [redacted] was friendly and pleasant, WILLIAMS obtained no information of value from him.

According to WILLIAMS the House Committee is very much interested in holding hearings in Puerto Rico on Communist matters and he indicated that if they are held, it would probably be in October or November, 1959. WILLIAMS does not know for fact if the hearings will be held. WILLIAMS plans to leave Puerto Rico at 5:00 P.M. on 7/9/59 and did not know when he would return.

Bureau will be kept advised of any developments in this matter.

5 - Bureau (RM)

4 - San Juan

(cc - 100-417)
(cc - 100-1253)
(cc - 100-3228)

TPG/bgd

(9)

68 JUL 20 1959

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/82 BY SP6

61-7582-4204
JUL 13 1959
SUBV. CONTROL
INTERNAL SECURITY

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (61-7582)

~~CONFIDENTIAL~~

DATE: 7/10/59

FROM : SAC, NEW YORK (100-115609)

SUBJECT: HOUSE COMMITTEE ON
AMERICAN ACTIVITIES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED (U)
EXCEPT WHERE SHOWN
OTHERWISE

CLASS. & EXT. BY SP6 b1A/ot
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW 3/8/72

On 7/6/59, [redacted] NYC, accompanied by [redacted] St., NYC, called in person at the NYO where they were interviewed by ASAC NORMAN H. MC CABE and SA DONALD P. ADAMS.

It is noted that information concerning a previous visit to the NYO by [redacted] was furnished the Bureau by letter dated 6/3/58, captioned "SENATE COMMITTEE ON INTERNAL SECURITY". The latter communication advised that [redacted] while in Washington, D.C. had visited the Bureau and talked with Mr. NEASE. The communication also reported statements by [redacted] that he had spent some time with former Bureau Inspector LEE PENNINGTON, who had solicited his aid in securing the names of several people formerly active in the Communist movement who would be willing to testify at hearings to be held by the Senate Subcommittee on Internal Security in the near future.

According to [redacted], his visit to the NYO with [redacted] was made at the instigation of Mr. WHEELER WILLIAMS, a sculptor and President of the American Professional League, who suggested that [redacted] furnish the NYO with his knowledge concerning "Communists" and "Communist sympathizers" in the arts. WILLIAMS, himself, recently testified before the House Committee on Un-American Activities relative to the paintings selected for inclusion in the American National Exhibition in Moscow commencing 7/25/59.

- 2 - Bureau (61-7582) (RM)
- 1 - Newark (100-34959) (BEN SHAWN) (RM)
- 1 - New Haven (100-14389) (PHILLIP) (EVERGOOD) (RM)
- 1 - New York (100-87338) (PHILLIP, EVERGOOD) (#412)
- 1 - New York (100-106988) (BEN SHAWN) (#412)
- 1 - New York (105-22842) [redacted] (#425)
- 1 - New York (100-38705) (MINNA BARKAVY) (#424)
- 1 - New York (100-121467) (JACK LEVINE) (#425)
- 1 - New York (100-115609)

DPA:kto
(10)

57 JUL 23 1959

~~CONFIDENTIAL~~

SUBV. CONTROL

~~CONFIDENTIAL~~ (U)

Messrs. [] both stated that their observations during a long period of activity in the field of the arts had convinced them that an apparatus made up of "Communists" or Communist sympathizers" was active in that field and was able, in effect, to exercise a form of censorship of the publicizing of the works of the proponents of traditional art in this country through control exercised in the art department of prominent newspapers and through the curators of various museums throughout the country. They stated that it is standard practice among the art section of the press of the country, as well as in the art galleries, to constantly "block the traditionalists" and "push the leftists".

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They could not furnish specific information concerning the identity of the "Communists" and "Communist sympathizers" in this field but had described []

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X [] of the "New York Times", and [] presently of the "Herald Tribune" and formerly of the "New York World Telegram", as individuals who regularly over the years had followed the practice of ignoring or attacking all works of the traditionalists while publicizing the works of the modernists. [] stated that a swing to "modern art" is an established policy of the Marxists in preparing a "capitalistic society" for conquest. [] described [] as having been constantly antagonistic over the years to anything traditional and abusive at sculptor meetings in the past and a person who would not write up anything that was not "leftist art". He recalled that on one occasion she personally called his attention to a particularly "vitriolic" article concerning the traditionalists by [] in the "Art News" and told [] that he and his cohorts would get similar "smears" in the "New York Times".

~~CONFIDENTIAL~~ (U)

~~CONFIDENTIAL~~ (U)

NY 100-115609

N.Y.
[] said it was his belief that the boycott of "traditionalists" was aided greatly by [] who exercised great influence on NELSON ROCKEFELLER. [] said this information was conveyed to him by a woman, whose identity he could not recall, who said that while doing some work for the Museum of Modern Art she had observed ROCKEFELLER conferring with [] on Thursday of each week, during which period ROCKEFELLER appeared to be taking orders from [] also stated that a [] who was active as a representative of the plastic arts division of UNRRA, occupied space adjacent to [] in the Museum of Modern Art and exercised undue influence in the field of art, although [] himself, was not an artist.

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[] both expressed the belief that the "leftist art crowd" had shown their true sentiments by their actions in the present controversy over the selection of art for exhibition in Moscow, during which attention was directed to the selections of works by PHILLIP EVERGOOD, MINNA HARKAVY, JACK LEVINE, [] and BEN SHAHN. According to [] the committee making the selections, namely, [] THEODORE ROSZAK, [] and [] as well as [] of the exhibition, and the art section of the major newspapers, all tried to give the impression that President EISENHOWER, himself, chose the committee and, in effect, had voiced approval by not withdrawing works chosen by the committee.

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It is noted that the broadening of the art exhibit desired by [] is being achieved by the sending of thirty 19th Century American works of art to Moscow to add "perspective" to the art exhibition, according to the "New York Herald Tribune" of 7/8/59.

~~CONFIDENTIAL~~ (U)

~~CONFIDENTIAL~~

NY 100-115609

Bureau file and/or subversive information in the New York files on the individuals mentioned during the interview are set out below:

<u>Name</u>	<u>Bureau File</u>	<u>New York File</u>
PHILLIP EVERGOOD (Currently residing Oxford, Conn.) (NH 100-14389)	100-370961	100-87338
[REDACTED]		105-22842
MINNA HARKAVY	NY report 2/24/53	100-39705
JACK LEVINE	100-415447	100-121467
BEN SHAWN SHAWN (Last known address Roosevelt, NJ) (NK 100-34959)	100-382216	100-106988
[REDACTED]		

[REDACTED] advised that several times during August through November, 1949, AGNES SMEDLEY contacted [REDACTED]

[REDACTED] NYC. Credit records reflected [REDACTED] employed as [REDACTED]

[REDACTED] for the "New York Times" LOUIS BUDENZ and ELIZABETH BENTLY have both described AGNES SMEDLEY as a Soviet Intelligence Agent.

On 7/15/56, [REDACTED], who has furnished reliable information in the past, advised SAS JAMES FLEMING and [REDACTED] that [REDACTED] of [REDACTED] NYC, had indicated a desire to travel to the USSR.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

NY 100-115609

[redacted]
The 11/6/43 issue of the "New York World Telegram" contained an article by [redacted] praising the technical proficiency and imagination of the Soviet Art Exhibit at the Metropolitan Museum of Art.

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On 8/28/44, [redacted] sent the FBI a letter in Spanish which she had received from a person in Spain who wanted her to forward the letter to [redacted]

[redacted] a painter, who had been very active for the Loyalist cause in Spain.

[redacted] had written an article about [redacted] work and apparently the party in Spain thought she would know where he could be located.

[redacted] indicated she knew some of the artist's friends and wanted the FBI to examine the letter before she forwarded it to them.

On 10/4/50, [redacted] of [redacted] NYC, stated that [redacted] was one of the art critics in the NY area who was unduly sympathetic to pro-Communist artists, such as PICASSO. [redacted] said he was instrumental in having [redacted] released by the "New York World Telegram and Sun".

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~~CONFIDENTIAL~~

NY 100-115609

~~CONFIDENTIAL~~

[redacted]
Chicago report of SA JOHN G. GROVES, dated 3/1/50, entitled "JOSEPH MARION GUTNAYER, was.; IS-R" (Bureau 100-344347), reflects that in the summer of 1949 a party was held at the GUTNAYER home in honor of one [redacted] (ph), who was introduced [redacted]

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Art Department at the University of Paris. By letter dated 3/8/49, captioned "FREEDOM OF THE PRESS, INC.; IS-C" there was forwarded to the Chicago Office 11 receipts showing subscription payments and donations to the "Daily Worker" from 11 individuals living in the Chicago area, which included one [redacted]

No identifiable subversive records were available for the following:

[redacted]
THEODORE ROSZAK
[redacted]

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In view of the nonspecific nature of the information received from Messrs. [redacted] no additional action is being taken in this matter in the NYO.

Copies of instant communication are being furnished to the New Haven and Newark Offices, last known residences of PHILLIP EVERGOOD and BEN SHAWN, respectively, for purposes of information.

~~CONFIDENTIAL~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (61-7582)

DATE: 7/15/59

FROM : SAC, Pittsburgh (100-13295)

SUBJECT: HCUA
1111ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/82 BY SP6 bja/gt

Remylet, 7/8/59.

Since the submission of relet, individual letters have been submitted to the Bureau and appropriate offices concerning the following:

Pittsburgh Division

<u>Name</u>	<u>Bufile</u>	<u>Pittsburgh file</u>
Benjamin Careathers	100-10516	100-269

Other Divisions

<u>Name</u>	<u>Bufile</u>	<u>Origin</u>
[REDACTED]	100-366590	New York
James H. Dolsen	100-24861	Philadelphia
Clark Foreman	Unknown	New York
[REDACTED]	100-368853	Los Angeles
Roy Bannerman Hudson	100-7602	San Francisco
Charles Milton Kerns Jr.	100-355286	New York
Nick Lazaris	100-202669	Washington Field
Milo Donald Mamula	100-349869	Miami
[REDACTED]	100-384207	Boston
Anne Perpich McTernan	100-341260	Los Angeles
[REDACTED]	Unknown	Chicago

b6
b7c

It is noted that out of a total of 55 letters (including letter re MATTHEW CVETIC (Bufile 100-372409) mentioned in relet), 4 have been submitted.

Out of a total of 38 letters to be submitted concerning individuals residing within other divisions, 21 have been submitted.

A letter concerning the status of this project will be submitted on 7/22/59.

- ② - Bureau (RM)
1 - Pittsburgh

JWS/jep

(3)

62 JUL 21 1959

REC-35

JUL 16 1959

SUBV. CONTROL

DIRECTOR, FBI (100-393579)

July 13, 1959

SAC, LOS ANGELES (100-25491)

EDITH PAPE, aka.
SM - C

Re Washington Field letter to Bureau 5/29/59
entitled "HCUA", Bufile 61-7682, Los Angeles
file 62-1664.

EDITH PAPE, who is on the Security Index of the
Los Angeles Office, testified before the HCUA hearings in
Los Angeles, California on September 4, 1958. In questions
relating to her Communist and related activities, she
declined to answer based upon her constitutional rights.
In addition, no questions were asked which would indicate
any activity on subject's part not already in the Bureau's
possession. PAPE's testimony is contained on pages 192-196
of the HCUA report of testimony.

An annual report pertaining to subject is
currently being prepared and recommendations relating to
interview of subject will be submitted at that time.

A copy of this letter is included for inclusion
in Bureau file 61-7682.

3 - Bureau (REGISTERED)
2 - 61-7682 (HCUA)
2 - Los Angeles
(1 - 62-1664) (HCUA)

wlm/lah
(5)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/80 BY [signature]

61-7542-
NOT RECORDED
98 JUL 20 1959

67 JUL 22 1959

Office

UN

RNMENT

TO : DIRECTOR, FBI (61-7582)

DATE: 7/17/59

FROM : *Pleg* SAC, LOS ANGELES (62-1664)

SUBJECT: HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

a
Re WFO let to Bu 5/29/59.

Los Angeles's review and reporting of the HCUA's transcript of these hearings is estimated to be 70 per cent completed and will be finished by 7/24/59.

The Bureau will be advised.

- ② - Bureau (REGISTERED.)
1 - Los Angeles

MMB:DRU
(3)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/6/82 BY SP6 BJA

REC-72

61-7582-4208

JUL 20 1959

60 JUL 23 1959

SUBV. CONTROL

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. DeLoach

DATE: July 9, 1959

FROM : M. A. Jones

SUBJECT: FREEDOM COMMISSION ACT

ATTORNEY, ORLANDO, FLORIDA

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/82 BY SP6/bjh

Tolson ☒
Belmont ☒
DeLoach ☒
McGuire ☒
Mohr ☒
Parsons ☒
Rosen ☒
Tamm ☒
Trotter ☒
W.C. Sullivan ☒
Tele. Room ☒
Holloman ☒
Gandy ☒

You will recall that [] an attorney in private practice, did the bulk of the writing of the Freedom Commission Act. SA Murphy talked to [] a few weeks ago when they were in Washington testifying in behalf of the Freedom Commission Act before the Senate Internal Security Sub-Committee.

At that time Murphy set them straight that the Bureau had not in any manner tried to influence this pending legislation which is opposed on firm grounds by the Domestic Intelligence Division as an empire building "boondogle."

CURRENT DEVELOPMENTS:

[] called Murphy from Orlando at 2:50 p.m. today. He made reference to an Associated Press story appearing in yesterday's papers to the effect that a member (unnamed) of the House Committee on Un-American Activities has spread the word that J. Edgar Hoover is opposed to this legislation. The facts are that Deputy Attorney General Walsh sent a letter to Chairman Walter of HCUA stating that the Justice Department did not endorse nor see any need for the Freedom Commission Act. Needless to say, the Bureau's official objection was made known to Judge Walsh.

Yesterday afternoon [] of Associated Press spoke to Inspector Wick regarding this rumor that the Director was opposed to the bill and Inspector Wick pointed out to [] that the Director never made a comment regarding pending legislation. The AP dispatch being read by [] to Murphy quoted an aide to Mr. Hoover stating that as a matter of policy Mr. Hoover never comments on pending legislation matters.

[] told Murphy that his local support for his bill is crumbling because people feel that his bill is not good if it is opposed by Mr. Hoover. He said he has already spoken to Congressman Herlong of Florida who introduced the bill in the House and has asked the Congressman to call the Director for a statement denying that he, the Director, feels that the Freedom Commission Act is a poor one.

1 - Mr. DeLoach

1 - Mr. Belmont

1 - Mr. Mohr

JTM: (7)

1 - Mr. Holloman

1 - Mr. Bly, Room 1503

NOT RECORDED

191 JUL 16 1959

10 JUL 17 1959

ORIGINAL COPY FILED IN

Jones to DeLoach memo

[] said that he was also going to Senator Mundt, who was one of the sponsors of this bill in the Senate, and ask him to get the same type of statement from the Director. In addition, [] is going to try to get the leading editor in Orlando to speak to you in order to clarify this matter.

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Mr. Joel Van Brock, Editor, Orlando Sentinel, spoke to Mr. DeLoach following [] talk with Murphy. Van Brock asked what was the Bureau's and the Director's objection in regard to this legislation, and Mr. DeLoach advised the Bureau and the Director never inject themselves in pending legislative matters. Van Brock then asked if the HCUA and Congressman Walter were unfavorable to the legislation. Mr. DeLoach said this was a matter which Mr. Van Brock should discuss with Walter. That concluded the conversation.

RECOMMENDATIONS:

(1) It is recommended that you, DeLoach, personally contact Congressman Herlong and Senator Mundt, both of whom you know well, and inform them the Director never injects the FBI or himself into legislation of a pending nature.

no.
H

(2) It is recommended that you contact Dick Arens and Chairman Walter and inform them once again that the Director has given no formal opinion regarding this proposed legislation and the previous discussions were strictly off the record and not for public dissemination. It appears rather obvious that the HCUA is attempting to use the Director's name to kill off this legislation.

no.
H

✓ REUSE
7/10

Noted
JTM (8)

We will wait any approach from them.

H

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: July 13, 1959

FROM : MR. J. F. BLAND

Tolson _____
 Belmont _____
 DeLoach ☒
 McGuire _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Holloman _____
 Gandy _____

SUBJECT: HOUSE COMMITTEE ON UN-AMERICAN
ACTIVITIES (HCUA) PROPOSED HEARINGS
LOS ANGELES, CALIFORNIA, REGARDING
COMMUNIST INFILTRATION IN TEACHING
PROFESSIONS

The Los Angeles Office advised that [redacted] was served with a subpoena on or about June 5, 1959, to appear before the captioned committee on June 24, 1959. The committee hearings were rescheduled for September 15, 1959, and William A. Wheeler, west coast representative of HCUA, advised the Los Angeles Office that all individuals subpoenaed would be notified on or about June 15, 1959, to the effect that their subpoenas were extended until September, 1959.

Information has been received that [redacted] Canoga Park, California, is planning a trip throughout Europe that will begin on August 14, 1959, and will conclude on or about August 28, 1960. He will depart Los Angeles on August 14, 1959, via auto for New York and plans to depart New York on August 28, 1959.

RECOMMENDATION:

Refer to Mr. DeLoach for his consideration and use in contacts with Dick Arens, staff director of HCUA.

61-7582

- 1 - 100-419494 [redacted]
- 1 - Mr. Belmont
- 1 - Mr. DeLoach
- 1 - Mr. Bland
- 1 - Mr. Higgins
- 1 - Mr. Gray
- 1 - Mr. Coll

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 3/8/82 BY SP6 BJA/v

EX - 124

REC- 20

03 JUL 22 1959

JUL 17 1959

SUBV. CONTROL

b6
b7c

UNRECORDED COPY FILED IN 100-419494

F B I

Date: 7/14/59

Transmit the following in _____
(Type in plain text or code)Via AIRTEL AIR MAIL - REGISTERED

(Priority or Method of Mailing)

I

TO: DIRECTOR, FBI (61-7582)

FROM: SAC, LOS ANGELES (62-1664)

RE: 0 HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES
PROPOSED HEARING 9/59
INFORMATION CONCERNING

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/6/82 BY SPK

On 7/14/59

[redacted] HCUA, advised that [redacted] who had been subpoenaed to appear before the HCUA at Los Angeles in [redacted] appeared before the Committee which met in executive session at Washington, D.C. shortly prior to [redacted]. He stated she plead the Fifth Amendment to questions asked of her by the Committee.

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b7C
b7D

[redacted] stated that THEODORE JOSEPH VINCENT, who had been subpoenaed to appear before the Committee has been interviewed by him and he will recommend that the subpoena be quashed. [redacted] confidentially advised that a recommendation will be made that VINCENT be subpoenaed at a later date to appear before the Committee in New York since VINCENT acknowledged CP membership from 1947 to 1954 in New York.

b7D

[redacted] announced that PHILIP GEORGE NASH has been interviewed and a formal statement is in the process of being obtained. He stated [redacted] subpoena calling for his appearance before the HCUA in September will be quashed.

EX - 124

REC - 5

61-7582-4210

- ⑥ - Bureau (1 - 100-364012, [redacted]
(1 - 100-10441, VINCENT)(1 - 37-1639, NASH) 20 JUL 16 1959
4 - Los Angeles (1 - 100-55565, [redacted]
(1 - 100-47457, VINCENT)(1 - 32-987, NASH)

JST:djv
(10)

Sub Control
[redacted]

b6
b7C

60 JUL 23 1959

Approved: [redacted]

Special Agent in Charge

Sent _____

M

Per _____

UNRECORDED COPY FILED IN 100-364012-
100-47457-41-

Routing Slip
FD-4 (Rev. 12-4-57)

Date 7/15/59

To
☒ Director

FILE # SJ 100-6340

Att.

Bufile 61-7582

☐ SAC

Title HCUA

☐ ASAC

☐ Supv.

☐ Agent

☐ SE

☐ CC

☐ Steno

☐ Clerk

Index & Rec'd
as indicated
ACTION DESIRED

- ☐ Acknowledge
☐ Assign Reassign
☐ Bring file
☐ Call me
☐ Correct
☐ Deadline
☐ Deadline passed
☐ Delinquent
☐ Discontinue
☐ Expedite
☐ File
☐ Initial & return
☐ Leads need attention
☐ Open Case
☐ Return with explanation or notation as to action taken.

- ☐ Prepare lead cards
☐ Prepare tickler
☐ Recharge serials
☐ Return assignment card
☐ Return file
☐ Return serials
☐ Search and return
☐ See me
☐ Send Serials

to

- ☐ Submit new charge-out
☐ Submit report by
☐ Type

EX - 102

REC-79

61-7582-4211

See SJ let 7/9/59 re VINOT RECORDED
HCUA investigator. 25 JUL 20 1959

Attached is translation of newspaper clipping
from 7/14/59 issue of "El Imparcial."

ENCLOSURE

☐ See reverse side
Registered Mail

SAC

Office

SAN JUAN

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/82 BY SP6 PIA/60

32 JUL 28 1959

TRANSLATION FROM THE SPANISH

EL IMPARCIAL
San Juan, Puerto Rico
July 14, 1959
Page 3, Col. 1
Page 39, Col. 3

ALLEGED INVESTIGATOR VISITS
ANDREU IGLESIAS

San Juan - (By [redacted] - A North American who identified himself as an investigator for the House Committee on Un-American Activities, accompanied by a Customs employee, went to the residence of the Puerto Rican writer CESAR ANDREU IGLESIAS with the purpose, according to the writer's report to EL Imparcial, of interrogating him about his political ideas.

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On arriving at ANDREU's residence, the Customs employee introduced the North American who immediately showed credentials which alleged that he was an investigator for the above-mentioned Committee. The alleged investigator said to ANDREU that they knew that he had been one of the leaders of the Puerto Rican Communist Party.

The alleged agent asked ANDREU a number of questions aimed to determine his political beliefs. The Puerto Rican writer immediately told him that he did not recognize the authority of any Congress investigator to interrogate him about his political ideas and that if this was the purpose of his visit, he would be forced to invite him to leave his house.

ANDREU adds that the North American persisted with his questions, stating that he understood that at the present time he is a writer. ANDREU IGLESIAS answered that he believed that his visit was not to discuss literary matters and he insisted that he leave his house. Finally, the two persons left when ANDREU refused to answer their questions. ANDREU said that he did not take down the North American's name, but that the Customs employee is Puerto Rican and he will be able to identify him at any time.

cc. - Bureau

- 1- 100-417 (CESAR ANDREU IGLESIAS)
- 1- 105-2699 [redacted]
- 1- 100-841 [redacted]
- 1- 105-5357 [redacted]
- 1- 100-6340 [redacted]

3/8/82 BY [redacted]

Translated by: [redacted]

7/15/59

ENCLOSURE

b6
b7c

61-7522-4211

This is the second case that an alleged investigator for the Committee on Un-American Activities has been reported making inquiries in the country. The other case was [redacted] who was called to the Commonwealth Department of State by the Protocol Director, [redacted], to introduce him to a person who also identified himself as an investigator for the aforementioned Committee. He asked him a great deal of questions which [redacted] refused to answer, protesting that he was called there without previous notice as to the purpose of the interview. This case was taken to the Senate of Puerto Rico by Senator [redacted] who asked for an investigation.

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b7c

F B I

Date: 7/16/59

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

TO : DIRECTOR, FBI (61-7582)
FROM : SAC, NEWARK (100-39625)
SUBJECT: HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES
INTERNAL SECURITY - C

HCUA Investigator RAYMOND COLLINS appeared at the Newark Office this date and advised that he is currently investigating CP activity in the State of Texas. In connection with his investigation, COLLINS advised he is considering issuing a subpoena to [] and WENDELL ADDINGTON to compel them to appear in executive session to be questioned concerning their former CP activity in Texas. COLLINS stated that the HCUA tentatively plans to hold hearings in Texas during August or September of this year and that he will advise the Newark Office in the event he issues subpoenas to [] and ADDINGTON.

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b7C

A review of the Newark files regarding [] and WENDELL ADDINGTON reflects that all pertinent information concerning these individuals has been previously furnished to the Bureau.

3-Bureau (RM)
1-Houston (info) (RM)
3-Newark

EX-132

(1 - 100-34964 - WENDELL ADDINGTON)
(1 - 100-34618 - [])

CWT:AM
(7)

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DATE 3/8/82 BY SP6 bja

JUL 17 1959

SUBV CONTROL

Approved: W. J. [Signature]
Special Agent in Charge

Sent _____ M Per _____

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100-356499-
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Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: July 17, 1959

FROM : C. D. DeLoach *AV*

SUBJECT:

Tolson ☒
 Belmont ☒
 DeLoach ☒
 McGuire ☒
 Mohr ☒
 Parsons ☒
 Rosen ☒
 Tamm ☒
 Trotter ☒
 W.C. Sullivan ☒
 Tele. Room ☒
 Holloman ☒
 Gandy ☒

House
 There is attached a copy of an Opening Statement to be made by Congressman Francis E. Walter, Chairman, Committee on Un-American Activities, when their public hearings on Communist Training Operations, open July 21, 1959, which is for release upon delivery.

DC PA
 Action: It is recommended this be forwarded to the Domestic Intelligence Division for its information.

HLE:FML
 (4) Enclosure

1--Mr. Belmont
 1--Mr. Jones

7-20-59
advised H.L. Edwards of
discrepancy in date on
Page 3 of attachment.
7772

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 DATE 3/8/82 BY 516 *hAp/1*

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61-7582-4213

EX 109

20 JUL 22 1959

ENCLOSURE

57 JUL 27 1959 *119*

INT. SEC.

OPENING STATEMENT
CONGRESSMAN FRANCIS E. WALTER
CHAIRMAN, COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
PUBLIC HEARINGS
JULY 21, 1959

COMMUNIST TRAINING OPERATIONS

In opening these hearings on Communist training operations, I should like to make a brief background statement.

The most appalling fact of this generation is the failure of the free world to grasp the fundamental nature of communism. Communism is not just an economic system. It is not just a political organism within the generally accepted meaning of that term. It is not just military aggression of a particular nation or group of people.

Communism involves an ideology, but it is more than an ideology. It is a dynamic system aimed at the destruction of all moral and spiritual values and of any society built on them. It is a scheme for total regimentation and control of every body and mind in a universe conceived to be exclusively governed by materialistic forces. The treacheries, bloodshed, deceit and violence of communism stem from its basic ideology, but these are perpetrated by people who are Communists and whose ultimate objective in their marauding against the free people is not conversion but conquest.

One of the basic fallacies of the free world in attempting to cope with communism is to regard it as just another form of government which can be voted in or out at the will of the citizenry. This is precisely what the Communists would have the free world believe, but the facts are otherwise. There has never been a single country taken over by the Communists with the knowing approval of its subjects; and once in power Communists have never relinquished control except where they were ousted by force. Communism generally follows the same

61-7582-4213
ENCLOSURE

basic pattern which in essence consists of first, softening up its prey by deceitful propaganda; second, subversion; and third, force. The success of the Communist conspiracy in any of its operations is in direct ratio to the intensity of the efforts by trained, disciplined Communist agents who, compared to the number of free people, are always relatively few, though they now number a world-wide fifth column of some 33 million. It is no more possible for free people to coexist peacefully with these dedicated revolutionists than it is for the body to coexist peacefully with cancer.

Many people wonder what makes a dedicated Communist. How are intelligent American citizens molded into such thoroughly committed revolutionaries that they will, as Lenin said, devote "the whole of their lives" to the Communist conspiracy? The experience of this Committee compels the conclusion that this process is not accomplished overnight. A first step is often the subtle indoctrination of students by individual Communists who are employed as teachers in non-Communist educational institutions. Beyond this, the Communist conspiracy has two principal organized training operations.

The first consists of schools, forums and courses designed to soften up and condition the students -- whether they are actually members of the party or not -- and to act as a screening or selection program in which likely material is chosen for development in the second type of Communist training operation which is for hard core, disciplined conspirators.

In these hearings which are beginning today, we will sample activities of individual Communists engaged in teaching in non-Communist institutions, as well as each of the two types of organized Communist training operations.

The Jefferson School of Social Science, through the years, was of the first type of Communist training operation where there were taught to Communists

and non-Communists alike courses which were designed to soften up and condition the students, and to develop prospective material for training as hard core Communists.

In proceedings under the Internal Security Act of 1950, the Subversive Activities Control Board on June 30, 1955, found the Jefferson School of Social Science to be a Communist front organization and that it, therefore, should register under the provisions of the Act. Shortly thereafter, the Communist operation devised what looked like a very simple evasive tactic, namely, to dissolve the Jefferson School of Social Science, which they did; but it was not long before there was created with substantially the same faculty and courses, a new school known as the Faculty of Social Science.

We expect in these hearings to explore this Faculty of Social Science to determine if our present investigative leads appear to be correct, namely, that for all intents and purposes the Faculty of Social Science is merely a successor to the Jefferson School of Social Science.

Now, with reference to the second type of Communist operation, namely, the training program of the hard core cadre, ³⁻²⁷⁻⁵⁹ in May of this year James E. Jackson, Jr., who is one of the top Communist conspirators operating in the United States, returned here from Moscow to which he had travelled on a United States passport which was issued to him shortly after the Supreme Court struck down the power of the Secretary of State to deny passports to Communists. Jackson's orders from the Kremlin, which have now been transmitted to the comrades in the United States, are to intensify the training of key revolutionaries in sabotage, subversion and penetration.

We have under subpoena the educational director of the Communist Party, Hyman Lumer who, we have learned from our field investigations, is now supervising the secret training programs in key centers of the nation in which select comrades are given specialized training in conspiratorial strategies and tactics.

July 17, 1959

MR. TOLSON:

RE: SOL HUOK
INQUIRY FROM HOUSE COMMITTEE
ON UN-AMERICAN ACTIVITIES (HCUA)

Mr. Tolson	
Mr. Belmont	
Mr. DeLoach	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Trotter	
Mr. W.C. Sullivan	
Tele. Room	
Mr. Holloman	
Miss Gandy	

Today, Dick Arens, Staff Director of the HCUA, called Edwards and wondered whether the Bureau would be able to give him any information to pass along to Chairman Walter indicating whether or not Sol Hurok had ever been identified as being in the Communist Party. Arens stated the Chairman was very anxious to have an answer on this, if possible, today. He said the reason for the Chairman's interest is because Hurok is the man who brought the Russian dancers into this country and now he is going over in the group with Nixon to the Moscow Fair. Arens said the Chairman feels that he is "working both sides of the street."

A preliminary check with the Domestic Intelligence Division indicated that Hurok has not been proven to have engaged in any communist activity. He, of course, as a top booking agent, has had repeated contacts with the Russians but has consistently maintained that these have been in connection with his booking operations. He is a member of the Culture Group going with Vice President Nixon to the Moscow Fair. The Domestic Intelligence Division has not yet had an opportunity to make an exhaustive review of its files but based on the review to this point, it appears there is definitely no information which would identify Hurok as being in the Party.

In view of the current interest of the HCUA in making inquiries concerning people who are accompanying Mr. Nixon as evidenced by this inquiry it is felt that Vice President Nixon should be advised by letter for his confidential information concerning this inquiry and given a brief summary of any pertinent information in our files concerning Hurok. Arens will be advised that in connection with his inquiry, there is no information available to place Hurok in the Party.

RECOMMENDATION:

That this memorandum be referred to the Domestic Intelligence Division for immediate preparation of a letter to Vice President Nixon as outlined above.

Attached -

Respectfully,

C. D. DeLoach

1 - Mr. Belmont
HLE:ejp (2)

NOT RECORDED
JUL 29 1959

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favorable report
much a favor
V.P. Nixon

Appended. I certainly
don't want to waste
time.

downy miss re
Hurok. He is a bad
individual & we have no right to give

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUL 29 1959

TELETYPE

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95314

Mr. Tolson
Mr. Belmont
Mr. DeLoach
Mr. McGuire
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. C. Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

URGENT 7-20-59 4-13 PM CDST BYS

TO DIRECTOR, FBI

FROM SAC, INDIANAPOLIS 1P

House Committee on Un-American Activities
HCUA, HEARING, GARY, INDIANA, FEBRUARY TEN, FIFTYEIGHT.
(Federal Grand Jury)

THE FGJ SITTING AT HAMMOND, INDIANA RETURNED TRUE BILLS
AGAINST ALFRED SAMTER, VICTOR MALIS, ROBERT LEHRER AND
EDWARD YELLIN ON JULY SEVENTEEN LAST IN SECRET INDICTMENT
CHARGING EACH WITH VIOLATION SECTION ONE NINE TWO, TITLE TWO,
USC, IN THAT ON OR ABOUT FEBRUARY TEN, FIFTYEIGHT, THEY
REFUSED TO GIVE TESTIMONY BEFORE THE HCUA IN GARY, INDIANA.

BOND HAS BEEN SET AT ONE THOUSAND DOLLARS IN EACH CASE.
United States Marshal
USM WILL SERVE WARRANTS. BUREAU WILL BE KEPT ADVISED OF
DEVELOPMENTS.

END AND ACK PLS

5-14 PM OK FBI WA RL

TU DISCV

Mr. Belmont

85
80 JUL 29 1959

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1-75-2-4214
SUBV. CONTROL

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (61-7582)

DATE: 7/24/59

FROM : SAC, WFO (100-22169) **REC-23**

ATTENTION: RECORDS SECTION

SUBJECT: HCUA

HCUA held hearings in Chicago, Ill., on May 5, 6, and 7, 1959. These hearings have been published in a pamphlet entitled "Communist Infiltration of Vital Industries and Current Communist Techniques in the Chicago, Ill., Area." (u)

Two copies of this publication are enclosed for the Bureau, two copies for New York City, and five copies are enclosed for the Chicago Office. (u)

Chicago should review this testimony pursuant to current Bureau instructions pertaining to HCUA testimony. (u)

The Bureau instructions pertaining to this review are set out below: (u)

Current Bureau instructions direct the Washington Field Office to obtain transcripts of the hearings, to forward them to the office covering the locality of the hearings and to advise the Bureau when this has been done. The office covering the locality of the hearings should thoroughly review these transcripts upon their receipt, advise the Bureau of the identities of each person mentioned and advise of their subversive activity unless such information is currently in Bureau's possession. Such data should be submitted under the caption of the various individuals identified. These memoranda must contain a statement as to whether or not the individual has been the subject of Bureau investigation and as to what action is being taken on any new information developed. (u)

In those instances where an individual has been investigated by the Bureau and the new information obtained does not warrant additional investigation, you should again give consideration to requesting Bureau authority to interview the individual. Further, you should submit your recommendations regarding interview of any "friendly witnesses." (u)

- 2 - Bureau (Encls. 2)
- 2 - Chicago (Encls. 5) (RM)
- 1 - New York (Encls. 2) (RM)
- 1 - WFO

JAC:mw
(6)

REC-47

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JUL 24 1959

EX-135

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LIMITED CLASSIFICATION REVIEW

This document was not reviewed in its entirety. Classification review was limited to:

<u>Page</u>	<u>Paragraph</u>	<u>Page</u>	<u>Paragraph</u>
1, 2	ALL		
582	ALL (unclassified)		

on 10/16/28

by 1259 Jip/labw

File # 61-7582

Serial 4215

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FBI
JUL 28 10 24 AM '54

In those instances where a person testifies about an individual residing within another division, it is your responsibility to advise the appropriate office of the nature of the information and of the Bureau's instructions. (u)

For your information and guidance, upon receipt of transcripts of testimony from the Washington Field Office, you are directed to advise the Bureau of the status of your review within one week's time. Thereafter, you will be requested to submit weekly letters advising of the status of your review until the project is completed and necessary action has been taken in accordance with Bureau instructions. (u)

The office covering the locality where the hearings are held should submit a final letter advising of the completion of the review of the testimony. This letter should contain a statement regarding number of witnesses testifying, the number of persons identified as communists, the fact that the Bureau has been advised under individual caption of the information furnished by "friendly witnesses," that recommendations have been forwarded to the Bureau regarding interview with "friendly witnesses" and that recommendations have been forwarded to the Bureau under individual caption regarding additional investigation or the advisability of interviewing these individuals. (u)

ENCLOSURES TO BUREAU (2)

2 copies HCUA publication entitled
"Communist Infiltration of Vital
Industries and Current Communist
Techniques in the Chicago, Ill., Area"

HCUA

Bufile 61-7582

WFO file 100-22169

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**COMMUNIST INFILTRATION OF VITAL INDUSTRIES
AND CURRENT COMMUNIST TECHNIQUES IN THE
CHICAGO, ILL., AREA**

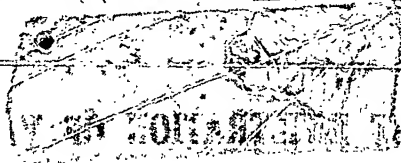
**HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH CONGRESS
FIRST SESSION**

**MAY 5, 6, AND 7, 1959
(INCLUDING INDEX)**

Printed for the use of the Committee on Un-American Activities



**UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1959**



COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

FRANCIS E. WALTER, Pennsylvania, *Chairman*

MORGAN M. MOULDER, Missouri

OLYDE DOYLE, California

EDWIN E. WILLIS, Louisiana

WILLIAM M. TUCK, Virginia

DONALD L. JACKSON, California

GORDON H. SCHERER, Ohio

WILLIAM E. MILLER, New York

AUGUST E. JOHANSEN, Michigan

RICHARD ARENS, *Staff Director*

II

61-7582-4215

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

- * * * * *
18. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 86TH CONGRESS

House Resolution 7, January 7, 1959

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(g) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

SYNOPSIS

Communist penetration of vital industries and current techniques of the Communist conspiracy were the subjects of public hearings held in Chicago, Ill., on May 5, 6, and 7, 1959.

Mr. Carl Nelson of Chicago testified that from 1934 through 1949 he was a member of the Communist Party and was in ideological sympathy with it; that after his severance with the formal Communist Party he continued in the Communist operation until about 1954 or 1955 serving principally in front groups.

Mr. Nelson emphasized that the formal entity known as the Communist Party is only one segment of the total Communist operation in the United States and that in order to avoid the impact of certain laws Communists often resign technical membership in the formal Communist Party but continue in the Communist operation.

Based upon his experience in various Communist units in the meatpacking industry in the greater Chicago area, Mr. Nelson stated that it was "saturated" by the Communist operation. There was exhibited to Mr. Nelson a leaflet which was one of several distributed in front of the courthouse in which the instant hearings were held. The leaflet bore the title, "Chicago Committee To Defend Democratic Rights," and was signed by Leon Katzen, chairman, and Richard Criley, executive secretary.

Mr. Nelson identified both Leon Katzen and Richard Criley as persons who to his certain knowledge were in the Communist Party.

In the course of his testimony, Mr. Nelson detailed Communist strategy and tactics in penetrating the meatpacking industry and identified a number of persons in the meatpacking industry who to his certain knowledge were members of the Communist Party.

Leon Katzen of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena, but refused to answer questions respecting his occupation, whether or not he was chairman of the Chicago Committee To Defend Democratic Rights, whether he had used the name "Mike Samuels," and a number of questions regarding Communist activities.

Richard Criley of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and invoked constitutional privileges when asked the following question: "Are you the Richard Criley who is listed here in this document as executive secretary of the Chicago Committee To Defend Democratic Rights?" He, likewise, refused to answer questions respecting Communist Party activities and whether he was currently a member of the Communist Party.

Leslie Orear of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that he was the editor of The Packinghouse Worker;

that he was not currently a member of the Communist Party; and that he had not been a member of the Communist Party since 1954.

Mr. Orear refused to answer whether he resigned technical membership in the Communist Party and whether or not he had ever broken with the Communist Party. Although he asserted that he had at the time of the hearing a strong antipathy to the Communist Party, he declined to answer whether he knew the names of persons in the Chicago area who were members of the Communist Party in 1952, basing his declination on the ground that his answer might tend to incriminate him.

Leon Beverly, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that he was field representative for the United Packinghouse Workers. He denied current membership in the Communist Party but declined to answer whether he resigned technical membership in the Communist Party so that he could deny membership and yet maintain himself in the Communist operation.

Samuel J. Parks, Jr., of Chicago appeared in response to a subpoena and testified that for 3 years prior to April 1957 he was director of a department of the United Packinghouse Workers. He denied current membership in the Communist Party but refused to answer whether he resigned technical membership in the Communist Party so that he could deny under oath current membership while remaining in the Communist operation, basing his refusal on the ground that his answer might tend to incriminate him.

Jack Souther of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that he was secretary-treasurer of District 1, United Packinghouse Workers of America. Although he denied current membership in the Communist Party, he refused to answer whether he had ever been a member of the Communist Party and refused to answer whether he had resigned technical membership in the Communist Party but maintained himself in the Communist operation, basing his refusal on the ground that his answer might tend to incriminate him.

Mrs. Gloria Wailes of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that she was employed as a secretary in the international office of the United Packinghouse Workers of America. She denied current membership in the Communist Party but refused to answer whether she had ever been a member of the Communist Party and whether she had resigned technical membership in the Communist Party but maintained herself in the Communist operation, basing her refusal on the ground that her answers might tend to incriminate her.

Joseph Zabritski of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that he had been one-time president of Local 25, United Packinghouse Workers of America. Mr. Zabritski denied current membership in the Communist Party, but refused to answer whether he had resigned technical membership in the Communist Party but maintained himself in the Communist operation, basing his refusal on the ground that his answer might tend to incriminate him.

John R. Hackney, an international representative for the Amalgamated Meatcutters and Butcher Workmen, testified that he had been a member of the Communist Party from approximately 1942 to 1948; that being a member of the Negro race, he joined the Communist Party because he believed that the party was the spearhead of the rights of the Negro people. Mr. Hackney broke with the Communist Party, however, upon realizing the insincerity of the Communists.

With reference to Communist penetration of the meat industry, Mr. Hackney stated that: "Because the party felt that the meat industry was essential to the national economy and it was important that they build the party within the meat industry in the event that we had war with other nations, that we could control the meat industry and its various outlets."

He continued: "From my most current information and my experience in my activity in the party I would say that the party is stronger now in the meat industry than it ever has been." Mr. Hackney corroborated the testimony of Carl Nelson to the effect that the current technique of Communists is to resign technical membership in the formal Communist Party in order to avoid the impact of certain laws but to continue in the Communist operation.

In the course of his testimony Mr. Hackney, who had served as a Communist in a number of Communist units within the meatpacking industry, detailed Communist strategy and tactics in penetrating the meatpacking industry and identified a number of persons in the meatpacking industry who to his certain knowledge were members of the Communist Party.

Charles A. Hayes of Chicago, director of District 1 of the United Packinghouse Workers, appeared in response to a subpoena. Mr. Hayes denied current membership in the Communist Party but declined to answer whether he had been a member of the Communist Party since the passage of the law requiring a non-Communist affidavit of certain labor officials and whether he resigned technical membership in the Communist Party so that he could avoid the impact of that law, basing his declination on the ground that his answer might tend to incriminate him.

Rachael Carter Ellis of Chicago, secretary to Charles A. Hayes, director of District 1 of the United Packinghouse Workers, appeared in response to a subpoena. She had previously been identified in the instant hearings by John R. Hackney as a member of the Communist Party. She denied current membership in the Communist Party but refused to answer whether she had been a member of the Communist Party during the preceding 2 years and whether she resigned technical membership in the Communist Party but maintained herself in the Communist operation, basing her refusals on the ground that her answers might tend to incriminate her.

Leo Turner of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that he was a field representative of the United Packinghouse Workers of America. He denied current membership in the Communist Party but refused to answer whether he resigned technical membership in the Communist Party but maintained himself in the Communist operation, basing his refusal on the ground that his answer might tend to incriminate him.

Albert P. Dency of Chicago appeared in response to a subpoena. Although Mr. Dency was confronted with the information of the committee that he had been a member of the Communist Party in Waukegan, Ill., in 1949, 1950, and 1951, he denied that he had ever been a member of the Communist Party or that he had been knowingly under the discipline of the Communist Party.

Francis William McBain of Chicago appeared in response to a subpoena and testified that he was a modelmaker. Mr. McBain refused to answer whether he was currently a member of the Communist Party, basing his refusal on a number of grounds including the ground that his answer might tend to incriminate him.

Edwin A. Alexander of Chicago appeared in response to a subpoena and testified that he was a member of the professional staff of the Jewish Federation, Metropolitan Chicago. Mr. Alexander recounted his education and his employment, including his past employment as a full-time official for the district office of the Young Communist League of California and his past employment as a full-time official in the Communist Party. Mr. Alexander detailed his career in the Communist Party which, with interruptions, endured over a period of a number of years until 1956. Mr. Alexander's testimony included a narrative of his activities in various Communist enterprises but he refused to disclose the identity of persons who as of 1956 were known by him to be members of the Communist Party.¹

Bernard Angert of Evanston, Ill., appeared in response to a subpoena and testified that he was a mold maker. Mr. Angert refused to answer whether he was currently a member of the Communist Party, and whether he was currently engaged in Communist Party work in the International Association of Machinists as a colonizer, basing his refusal on the ground, among others, that his answers might tend to incriminate him.

Joseph A. Poskonka of Chicago testified that he was currently in the Communist operation as a Communist functionary; that in 1943 he joined that part of the Communist operation known as the Communist Party, but that at no time had he ever been in sympathy with the Communist Party or Communist principles; that his service in the Communist operation was at the behest and with the cooperation of the Federal Bureau of Investigation for the purpose of supplying information to the Government. With respect to the current seriousness of the Communist operation in the United States, Mr. Poskonka testified as follows:

Mr. ARENS. I expect to interrogate you on several items in the course of your testimony this morning, but I should like at the outset to ask you first of all, based upon your background and experience since 1943 until this instant in the Communist operation and your participation in the Communist Party as a formal entity, to tell this committee now, while you are under oath, how serious is the Communist movement, the Communist operation in the United States this instant.

Mr. POSKONKA. It is very, very serious.

¹ Under date of June 3, 1959, the Committee on Un-American Activities voted to recommend to the House of Representatives that Edwin A. Alexander be cited for contempt.

Mr. Poskonka, who served for several years in the packinghouse segment of the Communist Party, testified respecting Communist penetration of the packinghouse industry in the greater Chicago area as follows:

Mr. ARENS. Mr. Poskonka, may I inquire on the basis of your service in the Communist operation up to and including the present instant, and your particular service in the packinghouse segment of the Communist operation, how serious is the penetration by Communists of the packinghouse industry in the greater Chicago area?

Mr. POSKONKA. It is very serious because they are dominating and any decent person of any kind that might be a decent American citizen that would want to represent labor as a decent leader or decent citizen, if he is not a member of the Communists or in sympathy he could not be elected to office because he would be slammed as a union boss or racketeer of some kind.

In the course of his testimony Mr. Poskonka detailed Communist strategy in penetrating the meatpacking industry and identified a number of persons in the meatpacking industry who to his certain knowledge were members of the Communist Party.

John Lewis of Chicago, who had been identified by Mr. Poskonka in the instant hearings as a person who had been known by him to be a member of the Communist Party, appeared in response to a subpoena and testified that he was employed in the Swift Packing plant in Chicago and that he had held a number of offices in Local 28 of the United Packinghouse Workers of America.

Mr. Lewis denied current membership in the Communist Party but refused to answer if he had ever been a member of the Communist Party and if he had resigned technical membership in the Communist Party so that he could deny current membership in the Communist Party if and when interrogated under oath, basing his refusal on the ground that his answer might tend to incriminate him.

Charles Proctor of Covert, Mich., who had been identified as a member of the Communist Party in the instant hearings by Joseph Poskonka and by John Hackney, appeared in response to a subpoena and testified that he was manager of the Packinghouse Labor and Community Center; that he was one-time chairman of the grievance committee for Local 28 of the United Packinghouse Workers in Chicago. When a number of documents were exhibited to Mr. Proctor respecting his participation in certain Communist enterprises he refused to comment, basing his refusal on the ground that his answer might tend to incriminate him. Mr. Proctor denied that he had been a member of the Communist Party any time in the course of the preceding 5 years but refused to answer whether he had ever been a member of the Communist Party on the ground that his answer might tend to incriminate him.

Donald H. Smith of Chicago, who had been identified in the instant hearings by Mr. Carl Nelson and Mr. John Hackney as a person who was a member of the Communist Party, appeared in response to a subpoena and testified that he was employed as international representative, United Packinghouse Workers of America. Mr.

Smith denied current membership in the Communist Party and declined to answer if he had been a member of the Communist Party in the course of the last 5 years, basing his declination on the ground that his answer might tend to incriminate him.

Jesse E. Prosten, who had been identified as a member of the Communist Party in the instant hearings by Mr. Carl Nelson and Mr. Joseph A. Poskonka, appeared in response to a subpoena and testified that he was an international representative for the United Packinghouse Workers of America. Mr. Prosten denied current membership in the Communist Party but refused to answer whether he had been a member of the Communist Party at any time within the course of the last 5 years, basing his refusal on the ground that his answer might tend to incriminate him.

COMMUNIST INFILTRATION OF VITAL INDUSTRIES AND CURRENT COMMUNIST TECHNIQUES IN THE CHICAGO, ILL., AREA

TUESDAY, MAY 5, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Ill.

PUBLIC HEARINGS

A subcommittee of the Committee on Un-American Activities met, pursuant to notice, at 10 a.m., in courtroom 209, United States Courthouse, 219 South Clark Street, Chicago, Ill., Hon. Morgan M. Moulder (subcommittee chairman) presiding.

Subcommittee members present: Representatives Morgan M. Moulder, of Missouri; Edwin E. Willis, of Louisiana; and August E. Johansen, of Michigan.

Staff members present: Richard Arens, staff director, and Raymond T. Collins, investigator.

Mr. MOULDER. The subcommittee will be in order.

The hearings which begin today in Chicago are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress, which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress of the United States, to exercise continuous watchfulness of the execution of any laws, the subject matter of which is within the jurisdiction of the committee.

In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion. In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

I shall now read the resolution of the Committee on Un-American Activities, authorizing and directing the holding of the instant hearings here in Chicago.

Be it resolved, That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Chicago, Ill., and at such other place or places as the Chairman may indicate, on such date or dates as the Chairman

may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

1. The extent, character and objects of Communist infiltration and Communist Party propaganda activities in labor unions within the area of Chicago, the legislative purposes being:

(a) To obtain information for use by the Committee in its consideration of a proposal to amend Section 4 of the Communist Control Act of 1954, prescribing a penalty for knowingly and willfully becoming or remaining a member of the Communist Party with knowledge of the purposes or objectives thereof; and

(b) To obtain additional information adding to the Committee's overall knowledge on the subject so that Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security, when and if the exigencies of the situation require it.

2. Communist techniques and strategy in the raising of funds for the benefit of the Communist Party, the legislative purpose being to determine whether a recommendation should be made tightening the laws relating to tax exemption which labor unions enjoy, and for the additional reasons set forth in items 1 (a) and (b) of this resolution.

3. The execution by the administrative agencies concerned of the Internal Security Act, the Communist Control Act of 1954, the Foreign Agents Registration Act, and all other laws, the subject matter of which is within the jurisdiction of the Committee, the legislative purpose being to exercise continuous watchfulness of the execution of these laws to assist the Congress in appraising the administration of such laws, and in developing such amendments or related legislation as it may deem necessary.

Be it further resolved, That the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof appointed to conduct this hearing, may designate.

I shall now read the order of appointment of the subcommittee to conduct these hearings which was made by the chairman of the full committee, the Honorable Francis E. Walter, of Pennsylvania:

APRIL 28, 1959.

To: Mr. Richard Arens
Staff Director
House Committee on Un-American Activities

Pursuant to the provisions of the law and the rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representatives Edwin E. Willis and August E. Johansen, as associate members, and Representative Morgan M. Moulder, as Chairman, to conduct hearings in Chicago, Illinois, Tuesday, May 5, 1959, at 10:00 a.m., on subjects under investigation by the Committee and take such testimony on said day or succeeding days, as it may deem necessary.

Please make this action a matter of Committee record.

If any Member indicates his inability to serve, please notify me.

Given under my hand this 28th day of April 1959.

(s) Francis E. Walter
Chairman
Committee on Un-American
Activities

These hearings in Chicago are in furtherance of a project of this committee on current techniques of the Communist conspiracy in this Nation. We know that the strategy and tactics of the Communist Party are constantly changing for the purpose of avoiding detection and in an attempt to beguile the American people and the Government respecting the true nature of the conspiracy.

Preliminary investigations conducted by the staff indicate that a principal concentration point of Communists in the Chicago area is the packinghouse industry which is vital not only the economy of this area but is essential in the maintenance of a strong national

defense. Those of us who through the years have been engaged in the work of the Committee on Un-American Activities are obliged, from our experience, to conclude that there is no easy answer or quick solution to the many problems created by the Communist fifth column in our country. We must constantly keep abreast of the changing strategy and tactics of the Communist Party so that we may have factual information for our legislative purposes.

In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the recommendations, and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of our Government.

Today the Communist Party, though reduced in size, continues as a serious threat to the security of our Nation. It has long since divested itself of unreliable elements. Those who remain are the hard-core, disciplined agents of the Kremlin on American soil. Most of the Communist Party operation in the United States today consists of underground, behind-the-scenes manipulations.

What techniques are the hard-core Communists pursuing here in order to avoid detection as they pursue their nefarious work?

What loopholes or weaknesses exist in our security laws?

How can those laws be strengthened?

These are some of the questions I hope to have answered.

The objective of our subcommittee during this brief stay in Chicago is to sample factual material on types and patterns of activity germane to the scope of our inquiry. We have not subpoenaed witnesses here at random nor shall we attempt to exhaust the subject matter. To do so would require a disproportionate amount of time, both of the staff and of the subcommittee to the detriment of other equally important projects which are presently in process elsewhere in the United States.

We seek only the facts. Insofar as it is within the power of this committee, as part of the United States Congress, we shall obtain the facts and we shall do so within the framework of carefully prescribed procedures, adopted by this committee, of justice and fair play as provided by the law of our land.

It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting that person. It is also the policy of the committee to accord any witness the privilege of being represented by counsel to advise him; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client in a legal fashion.

I would remind those present that a disturbance of any kind or an audible comment during the hearings will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty with the general objective of main-

taining the security and the American way of life of this great Nation.

Do you have comments to add to that, Mr. Willis?

Mr. WILLIS. Mr. Chairman, you refer to the rules of the committee. It might be interesting to know, I think this is the one committee that operates under very enlightened and comprehensive rules. I have a copy here and the very last provision of the rules is that all witnesses appearing before the committee shall be furnished with a copy of the printed rules, and so on. The rules are available to the press, counsel, and to anybody who wants to see them.

Mr. MOULDER. Mr. Johansen.

Mr. JOHANSEN. The only comment I would like to make, Mr. Chairman, is that I am very happy to have the chairman and my colleague from Louisiana very clearly and emphatically set forth the fact that we do operate by prescribed rules, with the full regard for the rights of the witnesses. I think it is particularly timely, particularly important to have that emphasized because of the evident misinformation that seems sometimes to be promulgated from other presumably responsible sources. I associate myself completely with the statement of the chairman and of Mr. Willis.

Mr. MOULDER. Thank you, gentlemen.

Now, Congressman Walter, the chairman of the full committee of the House Committee on Un-American Activities, has requested that I read the following letter addressed to him by Ralph Helstein, president of the United Packinghouse Workers of America, an AFL-CIO union. The letter is dated May 1, 1959, and he has requested that I read this letter before the beginning of the hearing and insert the letter into the record.

The letter is as follows:

Honorable Francis E. Walter
Chairman, House Committee on Un-American Activities
House Office Building
Washington 25, D.C.

Dear Sir:

In view of the fact that the House Committee on Un-American Activities has subpoenaed some present or former members of our union to appear at your sessions on May 5, 6 and 7, we have felt it appropriate to transmit to you a brief statement of the position of our union.

We represent, as you are perhaps aware, over 100,000 employees in the meat packing industry and others in related industries. If you are familiar with the history of the meat-packing industry, you know it as one with the history of back-breaking labor and oppressive, soul-searing working conditions which earned for it the designation "the jungle."

In the two decades since we came into existence, we have written a proud history of our own. We have built a record of economic improvement for packinghouse workers, and we have built a genuinely democratic union, widely respected for its honesty and integrity and one which is, we are convinced, free of outside influence, Communist or any other. We hold a respected position in the ranks of labor and in the communities in which our members reside.

We are particularly proud of our status in the Negro communities of the nation. A relatively substantial proportion of our membership is Negro and our union has evidenced its special interest in and concern with the problems of the Negro people. Negro leaders have risen, on their merits, to positions of importance in our ranks, and we have applied our energies actively to the task of eliminating discriminatory practices in American life.

In this history of achievement, many, many people have played their roles—thousands of rank and file members, local, district and national officers and

staff employees. Those individuals included among your subpoenaed witnesses who presently hold district or local office or who are currently on our field staff are among those who are recognized by our membership as having made, over many years, unselfish and consistent contributions to the growth and performance of our union. So far as their records of performance show, they have passed the test of service to the needs of our members—organization of the unorganized, negotiation of contract improvements, honest and effective grievance presentation.

Our union was born in the midst of the distress and disillusion of the depression and post-depression years of the 1930's and 1940's. In the light of the background of the industry, the economic and social tensions of the times and the bitter opposition of the packing companies to our efforts at organization and improvement of conditions, it would have been strange indeed if among the packinghouse workers there were none who turned to one or another of the utopian panaceas held out from various sources to the disillusioned: communism, socialism, technocracy, single-tax programs, and all the rest.

Before our union was very old, therefore, it was faced with a fundamental choice of procedures. It could have embarked upon a program that might have led to bitter internal conflict, diverting energies urgently needed for the task of providing economic improvements for the packinghouse workers. Our membership developed a different program, one which we believe to be in the best traditions of our nation. There was never the slightest question or possibility of yielding control to a Communist group or any other ideology. But we felt that the challenge of Communism could best be met not by a civil war certain to blunt the union's collective bargaining effectiveness, but by demonstrating that a positive and democratic brand of unionism would produce results, thereby defeating the attractions of Communism by undercutting its ground.

We believe our program was right for the packinghouse workers. We know that it worked.

Our union has, over the years, established its position on Communism. Our union is firmly on record in its opposition to Communism—and all similar forms of authoritarian doctrine. Our union has adopted as official policy the AFL-CIO Ethical Practices Codes. No member of the Communist Party is or will be permitted to hold elective or appointive position in our union. For the implementation of this policy, the union has established, from its Executive Board, a committee to investigate situations involving possible violation of these Codes and a Public Review Commission of disinterested, prominent citizens, to assure that our procedures are effective to maintain integrity and democracy in our union.

The path by which we reached our present position may not be the one which others have followed or would have prescribed. Perhaps members of your Committee would disagree as to our choice of paths—and we respect their right to disagree. We ask only the same respect for our right to our opinion as to the rightness of our course. We firmly believe that the result in our union proves that our forefathers' faith in the principles of the Bill of Rights was well founded.

In enforcing our policies today, we are, of course, concerned with the present and the future. We do not feel that we serve any useful purpose by seeking to dredge up the muck of a dead past. If there are in our ranks persons with a Communist past, their present adherence to the democratic principles of our union represents a symbol of the victory of democratic philosophy over totalitarianism, and we see no purpose in placing them in the public pillory.

In our enforcement of our policies, we will, of course, give appropriate consideration to relevant evidence presented to your Committee as we would to similar evidence from any source. It is an unfortunate fact, however, that your Committee's decision to conduct these hearings happens to coincide in time with certain other developments.

A rejected and disgruntled former officeholder has been engaged in an effort to revive the long dead Communist issue, as it affects our union, in what appears to us to be a frantic effort, unquestionably doomed to failure, to foist himself back on to a membership which has rejected him. There is also some evidence which suggests that he is acting for another union which is suspected of having hopes of gobbling up the membership of our organization. Finally, your hearings happen to come at a time when we are about to enter upon negotiations with the major packing companies, as the current three year term of contracts through-

but the industry approaches expiration. Pressing problems of plant shut-downs, mass layoffs, technological unemployment, inadequate pension and severance pay clauses, and many others claim the attention of our members and leaders. The sudden revival of long dead issues obviously plays into the hands of the packing companies.

Under these circumstances, you will understand, I am sure, the feeling among many of our members that your hearings, may, without any such intent on your part, serve to aid some few who may wish to create a misleading public impression of our union. We are confident, in all frankness, that our record of performance in the public interest is so clear and so well understood by those most directly concerned, that our union's public stature will readily withstand any such attack.

Very truly yours,
(s) Ralph Helstein, President.

Chairman Walter requested that his comments as follows also be read and inserted into the record:

1. There is no intention on the part of the House Un-American Activities Committee, to interfere in any way, or on either side, with any negotiations between the union and employers. In this connection I wish to point out that these investigations are in no way directed at the United Packinghouse Workers of America, as a union, or at its officers, as such.

2. While it is true, as Mr. Helstein pointed out, that this Committee may well differ with the methods followed by the union to eliminate Communists, nevertheless, the Committee welcomes the unequivocal assertion by the President of the union that the union is firmly on record in its opposition to Communism and all similar forms of authoritarian doctrine, that "no member of the Communist Party is, or will be permitted, to hold elective or appointive position" in the union and that a procedure involving a review by a public review commission of disinterested prominent citizens has been established to assure that this policy is being implemented. In these circumstances I am hopeful that any information adduced by this Committee concerning Communists holding elective or appointive position in the union will receive the full consideration of the union and the public board established by it.

That concludes Chairman Walter's statement. I wish to apologize for taking so much time reading all these statements but I was requested by the chairman to place the letter and his statement in the record as well as our opening statement.

Do you wish to add any other matter before we call the witnesses?

Are you ready to proceed?

Mr. ARENS. Yes, sir.

Mr. MOULDER. Call your first witness.

Mr. ARENS. Mr. Carl Nelson, kindly come forward and remain standing while the chairman administers an oath.

Mr. MOULDER. Will you raise your right hand and be sworn, please?

Do you solemnly swear that the testimony you are about to give before the subcommittee of the Committee on Un-American Activities will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NELSON. I do.

Mr. MOULDER. Be seated.

H.C.U.A. 5/5/59
TESTIMONY OF CARL NELSON

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. NELSON. Carl Nelson, 3093 West North Avenue. I am in the heating business.

Chicago, Ill.

C.P. member

OK

Mr. ARENS. Mr. Nelson, have you ever been a member of the Communist Party?

Mr. NELSON. I have.

Mr. MOULDER. May I suggest that the loud speaking apparatus be placed closer to him because with the fans going you can't hear without using that speaking system.

Mr. NELSON. I have.

Mr. ARENS. Have you, in addition to being a member of the formal entity known as the Communist Party, likewise been a participant in the Communist operation?

Mr. NELSON. I have.

Mr. ARENS. Tell us, first of all, the period of your membership in the Communist Party.

Mr. NELSON. From 1934 through 1949.

Mr. MOULDER. Can you bring that closer to him?

Mr. ARENS. Would you kindly speak into the microphone here? The acoustics are rather poor.

Mr. NELSON. From 1934 through 1949.

Mr. ARENS. After your severance with that entity known as the Communist Party, did you then stay in the Communist operation?

Mr. NELSON. I did up until about '54 or '55.

Mr. ARENS. Mr. Nelson, so that the record may be clear at this point, were you ideologically in sympathy with the Communist Party, were you in truth and fact a Communist?

Mr. NELSON. I was.

Mr. ARENS. You were not an undercover agent of the Federal Bureau of Investigation as were some persons?

Mr. NELSON. No, I wasn't.

Mr. ARENS. Now, before we proceed further so that we may keep your testimony in perspective, may I inquire what distinction do you as a person who has served for many years in the formal entity known as the Communist Party and likewise who has served until the course of the last few years in the Communist operation, what distinction do you make between the Communist Party as a formal entity and the Communist operation in the United States?

Mr. NELSON. Well, there is no difference in it. Its different organizations are under the control of the Communists. They are all leading Communists that are heading these organizations.

Mr. ARENS. During the period in 1948 of the passage in the 80th Congress of amendments to the National Labor Relations Act, requiring certain officials to sign non-Communist affidavits, to your certain knowledge, did certain people resign from the formal entity known as the Communist Party and maintain themselves in the Communist operation?

Mr. NELSON. They did.

Mr. ARENS. Did they do that so that they could take a non-Communist affidavit in order to avoid the impact of the then existing law?

Mr. NELSON. That is right.

Mr. ARENS. Now, Mr. Nelson, I expect in the course of the testimony here to probe with you into your own operations, and I expect to elicit from you a pattern of Communist activity in which you and others have engaged, to your certain knowledge, in this area. But in

order to keep your testimony in perspective at the moment I should like to ask you, based upon your extensive service in the formal entity known as the Communist Party plus your extensive service until recently in the Communist operation, how serious is the Communist menace in this area to your certain knowledge as of now?

Mr. NELSON. It is more serious now than it ever was before, because at this time although most of the people are not formally in the party still they maintain their Marxist-Leninist philosophy and they are in the leadership of various unions throughout the State of Illinois. I would say it is definitely in a better position today than they ever were.

Mr. ARENS. Mr. Nelson, has the Communist operation and the Communist Party, being a part of the operation, to your certain knowledge penetrated the meatpacking industry in the greater Chicago area?

Mr. NELSON. Saturated it.

Mr. ARENS. Now, Mr. Nelson, why has the Communist Party emphasized a penetration of the meatpacking industry in this greater Chicago area?

Mr. NELSON. Well, if this country was ever to go to war, an army has to travel on its stomach, and they would be in an excellent position to cut off food for the Armed Forces.

Mr. ARENS. Is the Communist Party a political party or is it a conspiracy?

Mr. NELSON. From my experience it is a conspiracy.

Mr. ARENS. Mr. Nelson, before we proceed with your personal history in the Communist Party, I should like to display to you a leaflet, which was one of several that was distributed in front of this building here this morning by pickets of a Chicago Committee to Defend Democratic Rights. As we entered this building this morning stretching for at least three-quarters of a block carrying signs was a group known as the Chicago Committee to Defend Democratic Rights, and it has various bulletins it disseminated on the street corner there. Mr. Collins of the committee staff will now display to you a copy of a bulletin, and I should like to invite your attention to the names of the officers who appear as the leaders of this Chicago Committee to Defend Democratic Rights. Would you kindly read those names off?

Mr. NELSON. Leon Katzen, formerly was the section organizer of the Communist Party on the northwest side. Richard Criley was a member of the section committee of the Communist Party of the packing-house industry.

Mr. ARENS. Mr. Nelson, so there may be no question on this record, do you here and now while you are under oath identify Mr. Katzen and Mr. Criley as persons who, to your certain knowledge, while you were a member of the Communist Party, were in the Communist Party?

Mr. NELSON. I do.

Mr. ARENS. Mr. Chairman. I respectfully suggest that the document which has now been displayed to the witness be appropriately marked and be incorporated in the body of the record.

Mr. MOULDER. As requested by counsel the document will be appropriately marked and inserted as a part of the record.

(Document marked "Nelson Exhibit No. 1" follows:)

NELSON EXHIBIT No. 1

Chicago Committee to Defend Democratic Rights

189 West Madison St., Suite 811
Chicago 2, Ill. (De 2-7142)

LEGISLATIVE BULLETIN

HOUSE UN-AMERICAN ACTIVITIES COMMITTEE CHICAGO HEARING
SET FOR MAY 5-6

The Un-Americans are at it again! Two groups of Chicago unionists have been subpoenaed to appear before it on May 5 and 6. They include members and former members of the United Packinghouse Workers of America and of Local #113 (Tool and Die) of the International Association of Machinists. Additional unionists may still be called at a later date.

It is clear that the House Un-American Activities Committee hearing is a direct intervention into the internal affairs of labor.

The House Committee (whose general mandate to function was questioned by the U.S. Supreme Court) has no specific authorization from Congress to conduct such a hearing as that scheduled here. It is evident, also, that there can be no legitimate legislative purpose for this hearing. On both counts, the entire hearing is patently illegal, on the basis of the Supreme Court decision in the Watkins case (which stated that the Committee has no right to expose "for sake of exposure").

Chairman Walter's public statement that the hearing is for the purpose of "investigating subversive infiltration" into defense industries is camouflage for a flagrant attack on unions and the constitutional rights of American workers. It will be recalled that the last "labor investigation" of the Committee in this area was in 1952 when it was timed to disrupt the strike of International Harvester workers and the negotiations for a new contract in the meat packing industry.

The House Committee has just completed witch-hunt against labor in the Pittsburgh area. In February in Los Angeles under guise of investigating "legal subversion", it unfolded an attack on defense attorneys in civil liberties cases, and on the constitutional right to be represented by counsel. In Atlanta, Georgia, last year, the Committee was denounced by over 200 prominent Negro leaders in the South for "trying to attach the 'subversive' label to any liberal white Southerner who dares to raise his voice in support of our democratic ideals."

The recent actions of the House Un-American Activities Committee are the most potent argument for its abolition, and the cutting off of all further appropriations. (For 1959, it has already been voted \$327,000 by the House of Representatives).

RECOMMENDATIONS FOR ACTION

1. Write your Congressman to support the bill introduced by Representative James Roosevelt to abolish the House Un-American Activities Committee.

2. See and judge for yourself by attending the hearing on May 5 and 6 at the Federal Building (Old Post Office), Clark and Adams Sts.

Sincerely yours,

(S) Leon Katzen,
LEON KATZEN,

Chairman.

(S) Richard Criley,
RICHARD CRILEY,
Executive Secretary.

P.S.—We depend on your contributions to continue our activity.

Mr. MOULDER. May I inquire of the witness, when you answer the question regarding definite identification of these people as being members of the Communist Party, on what do you base your assertion that they were members of the Communist Party?

Mr. NELSON. Well, Leon Katzen was the section organizer on the northwest side. I attended numerous, too numerous to mention,

meetings with him, not only of the section committee, but the 34th Ward Branch of the Communist Party, and district meetings and too many meetings to mention, and likewise with Richard Criley.

Mr. MOULDER. You were personally associated with them at these meetings you have mentioned?

Mr. NELSON. That is right.

Mr. MOULDER. At different times?

Mr. NELSON. That is right.

Mr. ARENS. Have you served in closed Communist Party meetings with Leon Katzen and Richard Criley?

Mr. NELSON. Definitely.

Mr. ARENS. The chairman and executive secretary, respectively, of the Chicago Committee to Defend Democratic Rights?

Mr. NELSON. Definitely.

Mr. MOULDER. In order to clarify the record on another point, you mentioned awhile ago that the union was saturated. That was in response to a question asked you by counsel. The industry was saturated, is that right?

Mr. NELSON. Saturated.

Mr. MOULDER. To what period of time are you referring?

Mr. NELSON. I am referring to the time from '43 up until now.

Mr. MOULDER. You are still actively associated with the organization?

Mr. NELSON. Not since '55, no.

Mr. MOULDER. Proceed, Mr. Arens.

Mr. ARENS. Now, Mr. Nelson, with that general perspective of your testimony, may I ask you, first of all where and when did you first associate yourself with the Communist Party?

Mr. NELSON. It was in 1934 I attended a school that they had set up on Chicago Avenue near Springfield.

Mr. ARENS. Was this a Communist training school?

Mr. NELSON. This was a Communist training school, yes.

Mr. ARENS. Would you kindly, at your own pace, without at the moment telling us about other persons who were actively engaged in the conspiracy, tell us the sequence of the identifications which you had within the various units of the Communist operation in the greater Chicago area?

Mr. NELSON. Well, I was recruited in 1934 in December by Norman Jay and was assigned to Unit 5-10. At that time they called the different sections of the party by numbers like Section 5, Unit 10. It means I belonged to Section 5 and Unit 10. And I also became, in 1935, a member of the section committee of Section 5 engaged in work with the Daily Worker. And in 1935 I attended a party training school at 1628 West Division Street.

Mr. ARENS. Is there any doubt in your mind, based upon the teachings which you received at the Communist Party training school, but that the Communist Party and the Communist operation in the United States is a fifth column on American soil?

Mr. NELSON. Correct. I believe it is.

Mr. ARENS. Would you kindly proceed with your career in the Communist operation?

Mr. NELSON. Well, in 1940, I was working at the American Excelsior Co. on Halsted Street, and Mannie Bornstein called me and

told me to come down and see him. He was employed at that time with the Government employment service and he told me to go to work at Armour & Co. and he gave me a referral.

Mr. ARENS. Who was Mannie Bornstein?

Mr. NELSON. He was a member of the party, a former section organizer out in Cicero. He ran for mayor of Cicero at one time. I believe it was in 1932.

Mr. ARENS. All right, sir. Did you at his direction go to Armour & Co.?

Mr. NELSON. I did.

Mr. ARENS. What did you do there?

Mr. NELSON. Well, first meeting I had before I got into the Armour branch, I had a meeting with Les Orear, Jane March, Dave Mates, and Joe Bezenhoffer at Forum Hall.

Mr. ARENS. Pause there for a moment. Do you here and now, while you are under oath, identify each and every one of those persons whose names you just called off, as persons who, to your certain knowledge, were members of the Communist Party?

Mr. NELSON. I do.

Mr. ARENS. Was there a Communist Party tentacle or branch at Armour & Co.?

Mr. NELSON. There was.

Mr. ARENS. All right, sir. Proceed, if you please, now to the next operation which you were engaged in. We will come back in a few moments to the actual operation itself.

Mr. NELSON. In 1943 I got fired out of Armour and I went to Swift.

Mr. ARENS. Was that because of Communist Party activities that you were fired from Armour?

Mr. NELSON. It was. Then from Swift I went to—

Mr. ARENS. Excuse me a moment. While you were at Swift, were you engaged as a comrade in Communist Party operations?

Mr. NELSON. I didn't belong to the Swift branch, no.

Mr. ARENS. Was there a branch at Swift?

Mr. NELSON. Yes, there was.

Mr. ARENS. Of the Communist Party?

Mr. NELSON. Yes, sir.

Mr. ARENS. All right, sir. Proceed, if you please.

Mr. NELSON. From there I went to Wyckoff Steel.

Mr. ARENS. When did you go to Wyckoff Steel Co.?

Mr. NELSON. In July of 1943.

Mr. ARENS. Did you engage in Communist Party operations there?

Mr. NELSON. No, I engaged in union activities. I met a party member there, Ray Cerda.

Mr. ARENS. Was there a cell of the Communist Party there?

Mr. NELSON. No.

Mr. ARENS. All right, sir, your next activity.

Mr. NELSON. I went to work with the Aluminum Corp. of America.

Mr. ARENS. When?

Mr. NELSON. That was in 1948. And there I met Blanche Born, who was a member of the party. There was no cell there to my knowledge. And from there I went and got a release and tried to get a job at a higher skill, and I went over to the union hall, and Herb March told me to try to get a job in one of the small houses. That I

attempted and didn't meet with success and I stopped in the employment office at Wilson & Co. and asked if they were hiring pipe coverers, and they called out to the shop foreman, and I got a job as a pipe coverer in Wilson & Co.

Mr. ARENS. Was there a tentacle or branch or unit of the Communist Party at Wilson & Co.?

Mr. NELSON. There was a branch there. I was told to see Joe Zabritski, the party man at Wilson Co.

Mr. ARENS. Did you see him?

Mr. NELSON. I did.

Mr. ARENS. Do you here and now identify him as a person who, to your certain knowledge, was a member of the Communist Party?

Mr. NELSON. I do.

Mr. ARENS. Did you serve in closed Communist Party meetings with him?

Mr. NELSON. Numerous ones.

Mr. ARENS. Give us the next entity with which you were connected in Communist operations.

Mr. NELSON. I became a member of the section committee there.

Mr. ARENS. Section committee of the Communist Party?

Mr. NELSON. Of packing; that is right.

Mr. ARENS. It was the packing fraction of the Communist Party, was it not?

Mr. NELSON. It was the entire section, which was composed of leading people from different plants in the packing industry.

Mr. ARENS. Was it a Communist operation?

Mr. NELSON. It was.

Mr. ARENS. All right, sir. Now, your next operation, please, sir?

Mr. NELSON. I was in charge of the Daily Worker and the press in the Wilson Co.

Mr. ARENS. Do you mean in charge of the dissemination or distribution of the Daily Worker?

Mr. NELSON. Distribution, sales promotion, and so forth.

Mr. ARENS. Your next operation, please, sir?

Mr. NELSON. Well, after 1948 I was fired out of the plant.

Mr. ARENS. Was that for Communist operations?

Mr. NELSON. Yes. They refused to take myself and another fellow back. Then I was—

Mr. ARENS. Who was the other fellow?

Mr. NELSON. Sam Parks.

Mr. ARENS. Was he, to your certain knowledge, a member of the Communist Party?

Mr. NELSON. He was.

Mr. ARENS. Did you serve in closed Communist Party meetings with him?

Mr. NELSON. I did.

Mr. ARENS. Do you here and now, while you are under oath, say without equivocation he was a Communist?

Mr. NELSON. I do.

Mr. ARENS. All right, sir. Would you kindly proceed to your next connection?

Mr. NELSON. From there I got a job down at UE as custodian of the building. I believe it was from October 1948 until, I think it was February '49.

Mr. ARENS. Did you serve in closed party meetings with him?

Mr. NELSON. With who?

Mr. ARENS. Parks.

Mr. NELSON. Oh, yes. Numerous meetings.

Mr. ARENS. All right, sir. Now you have in the sequence of events of your career in the Communist operation gotten up to the point where you were connected with the UE. That is the United Electrical Workers Union, is it not?

Mr. NELSON. That is correct.

Mr. ARENS. Give us a word about that, please, sir.

Mr. NELSON. I quit there, and I got a job in G. H. Hammond as a pipe coverer. And G. H. Hammond, they asked me to accept an office in the union when the elections came around, which I did. I believe it was outside guard or inside guard in the union. And I was selected by Walter Price Co. to go to the founding convention of the National Negro Labor Council.

Mr. ARENS. Where was that?

Mr. NELSON. That was held in Cincinnati.

Mr. ARENS. When was that?

Mr. NELSON. I believe that was 1952.

Mr. ARENS. Was that a Communist operation?

Mr. NELSON. It was.

Mr. ARENS. Was it controlled by the Communist conspiracy?

Mr. NELSON. It was.

Mr. ARENS. All right, sir. Your next participation in the Communist operation?

Mr. MOULDER. Can you explain in what respect, how it was, and upon what you base your statement?

Mr. NELSON. In the National Negro Labor Council?

Mr. MOULDER. Tell us why you draw that conclusion when you make such a statement.

Mr. NELSON. The entire leadership in the Chicago area was composed of Communists. They were all party members in the leadership of it. And that is the basis of my conclusion.

Mr. ARENS. What was your next connection with the Communist operation?

Mr. NELSON. Richard Criley came to me in 1953—I believe it was 1952, and asked me to serve on the Freedom of the Press Committee, as in the past I had been able to get quite a few subscriptions for the Chicago Star and the Daily Worker, and I accepted. I attended a meeting at 5457 Chicago Avenue, where this was held, and I was elected onto the executive committee of the Freedom of the Press Committee.

Mr. ARENS. Was the Freedom of the Press Committee controlled by the Communist conspiracy?

Mr. NELSON. It was.

Mr. ARENS. Can you, in similar fashion to your response to the question of the chairman of this subcommittee, tell us why you have reached that conclusion?

Mr. NELSON. Well, the purpose of the committee was to raise funds for the Daily Worker, to get subscriptions for it, and in general build up the Daily Worker and Sunday Worker.

Mr. ARENS. Did the leadership of the Freedom of the Press Committee consist of persons known by you to be Communists?

Mr. NELSON. It did.

Mr. ARENS. What caused your disassociation from the Communist operation?

Mr. NELSON. Well, I seen the way people had lied to me and I didn't like the way I was handled by Jim Keller. Then I went in business for myself, and I didn't have any time to fool around with it.

Mr. ARENS. Now, did the Communist Party, while you were in the operation, undertake to govern your personal life?

Mr. NELSON. Well, when the strike was over, we were getting a little money from the union and I was cut off and my wife called the union hall and threatened to send a picket line down there with the children, and a special meeting of the party was called of the Wilson workers where Jim Keller told me I had to make a choice between my wife and the union. And it was a meeting that night of the union where we went, and nothing was said about what had taken place. So that was one of the factors that led to me getting out of the party.

Mr. ARENS. Now, Mr. Nelson, may I invite your attention to persons known by you, to a certainty, to be members of the Communist Party during your career in the party. Where would you like to start? Would you like to start with the packinghouse workers fraction?

Mr. NELSON. Yes.

Mr. ARENS. And give us the date, please, sir.

Mr. NELSON. Well, from 1941 on, I knew Jesse Prosten to be a member of the party, was in hundreds of meetings with him.

Mr. ARENS. Would you pause as you give us information respecting each person who was, to a certainty, known by you to be a member of the Communist Party? And I admonish you now, as I have admonished you in private conversations, while you are under oath here and now to testify with respect to only those persons who, to your certain knowledge, were members of the Communist Party. Now give us a word about Jesse Prosten. Is this J-e-s-s-e P-r-o-s-t-e-n?

Mr. NELSON. That is right.

Mr. ARENS. All right, sir.

Mr. NELSON. He was on the international union payroll. He was a member of the Armour branch of the Communist Party, and was a member of the section committee, which is the highest body in packing of the Communist Party.

Mr. ARENS. What is his status now in the United Packinghouse Workers of America?

Mr. NELSON. That I don't know.

Mr. ARENS. Mr. Chairman, I should like to announce for the record that we have been making every effort to get Jesse Prosten under subpoena and our security advices from confidential sources lead us to believe that he is evading subpoena and is now hiding out in the southeastern part of the United States. We will continue until we do get him under subpoena.

Mr. NELSON. Les Orear.

Mr. ARENS. Let us be sure we have his name spelled properly.

Mr. NELSON. Yes. O-r-e-a-r.

Mr. ARENS. Les is his first name?

Mr. NELSON. Leslie Orear, yes.

Mr. ARENS. Give us a word about him.

Mr. NELSON. The first meeting I had before getting into the Armour branch was a meeting held in Forum Hall with Les Orear, Jane March, and Dave Mates, and Joe Bezenhoffer. Les Orear was the section educational director of the Communist Party. He was also a representative of the United Packinghouse Workers of America.

Mr. ARENS. And do you know what his present position is?

Mr. NELSON. That I don't know.

Mr. ARENS. Did you, in the course of your membership in the Communist Party, know as a Communist a person by the name of Charles H. F-i-s-c-h-e-r?

Mr. NELSON. No, I didn't.

Mr. ARENS. You say you did not?

Mr. NELSON. I did not, no.

Mr. ARENS. Would you kindly proceed to give us a word of description about other persons who, to your certain knowledge, were known by you to be members of the Communist Party activity in penetrating the meatpacking industry?

Mr. NELSON. Well, there was Herb March.

Mr. ARENS. Give us a word about him, please.

Mr. NELSON. He proclaimed to the world he was a Communist; attended hundreds of meetings with him.

Mr. MOULDER. Where were the meetings held that you referred to?

Mr. NELSON. The section committee meetings were held at the party headquarters at 4848 South Ashland Avenue. And other meetings that were held throughout the Chicago area, not necessarily section committee meetings, but they were party meetings, say, caucus meetings of delegates and party delegates going to the union conventions, and so forth.

Mr. ARENS. Did you know as a Communist, Leon Beverly?

Mr. NELSON. I did.

Mr. ARENS. B-e-v-e-r-l-y?

Mr. NELSON. I did.

Mr. ARENS. Give us a word about Leon Beverly, if you please, sir.

Mr. NELSON. Leon Beverly was a member of the section committee of the Communist Party, also member of the Armour local, and to the best of my knowledge he was president of the Armour local.

Mr. ARENS. Did you know as a Communist Samuel J. Parks, P-a-r-k-s, Jr.?

Mr. NELSON. I did.

Mr. ARENS. Give us a word about him, please, sir.

Mr. NELSON. Sam Parks was a member of the Wilson branch of the Communist Party, was a member of the section committee of the Communist Party, and was sent to Europe by Chicago Star, the Communist Party paper.

Mr. ARENS. Do you know what his present occupation is?

Mr. NELSON. As far as I know he runs a gas station.

Mr. ARENS. Did you know as a Communist a man by the name of Jack Souther, S-o-u-t-h-e-r?

Mr. NELSON. Yes, I did.

Mr. ARENS. Would you give us a word about him, please, sir.

Mr. NELSON. I attended several meetings with Jack Souther, or numerous meetings I should say, and the last I know of Jack was that he was working in the district office. Just what his function is, I don't know.

Mr. ARENS. District office of what?

Mr. NELSON. The United Packinghouse Workers.

Mr. MOULDER. This gentleman was sent to Europe by the Chicago Star, you say?

Mr. NELSON. Yes; which was a Communist paper.

Mr. ARENS. Do you know the purpose of his journey to Europe?

Mr. NELSON. It was to further enhance his political education.

Mr. MOULDER. Where in Europe, do you know?

Mr. NELSON. He went to London, France, Poland, and Czechoslovakia. I don't know all the different places he went there. But I know some of them.

Mr. MOULDER. You say he went there to enhance his Communist Party education?

Mr. NELSON. The party sent him there. They were sort of disappointed. They get a report every day about Sam and, according to them, all he was doing was enjoying himself in Páree. But that was the purpose of them sending him there.

Mr. ARENS. What year was he sent to Europe?

Mr. NELSON. That was, I believe in 1947 or 1946.

Mr. ARENS. Did you know as a Communist a person by the name of Gloria Wailes?

Mr. NELSON. Yes; I did.

Mr. ARENS. Give us a word about her, please, sir.

Mr. NELSON. She worked for the Wilson local office as the office girl; she did typing, took care of the files, and promoted the Daily Worker. I attended several meetings with her; was a member of the National Negro Labor Council.

Mr. MOULDER. I am sorry, Mr. Arens, to interrupt. But I am sure the committee is interested in the point the witness brought out about enhancing the Communist Party political education by sending that man to Europe. Do you know of other instances where that has been done? Is it a general policy or rule or a program on the part of the Communist Party organizations throughout this country to occasionally send or designate some person to go to Europe for instructions from Communist Party leaders over there in the countries you have referred to.

Mr. NELSON. They sent another fellow from the Swift local by the name of Charley Proctor. They sent him to Russia. So they don't openly state that is the purpose of it. But that is what takes place.

Mr. MOULDER. The point I am trying to arrive at is direct evidence which shows that there is a direct connection between the Communist Party as it exists here in this country and the international Communist Party conspiracy referred to by our counsel, Mr. Arens; that there is a constant negotiation and contact with the Communist Party leaders in Russia, with those Communist Party leaders in other countries, and in turn with the Communist Party leaders in this country. Is that so?

Mr. NELSON. There is a connection because how would we get reports every day? Bill Cerda used to give us a report of what Sam was doing in Poland, what he was doing in France, what he was doing in Czechoslovakia, or what he was doing in London. We used to get them daily from Bill Cerda.

Mr. MOULDER. That is my purpose for bringing that out. I think it is very important.

Mr. JOHANSEN. When you say you received these reports daily, were those received at meetings or in individual conferences or what?

Mr. NELSON. These were given to leading people in the Communist Party in the section who, in turn, would relay them to people that were directly connected with——.

Mr. JOHANSEN. Who was the individual, Cerda, you say was the source of the reports?

Mr. NELSON. Bill Cerda.

Mr. ARENS. Did you know as a Communist, Joseph Zabritski? Z-a-b-r-i-t-s-k-i?

Mr. NELSON. Yes, I do.

Mr. ARENS. Give us a word about him, please, sir.

Mr. NELSON. Well, when I went to work in Wilson, Jesse Prosten told me to contact Joe Zabritski who was the party man in Wilson & Co., which I did. I attended hundreds of meetings with Zabritski, paid my dues to Zabritski. Zabritski was the secretary-treasurer of the Communist Party section and kept all the dues and membership records of the party members.

Mr. ARENS. Did you know as a Communist, Charles A. Hayes, H-a-y-e-s?

Mr. NELSON. Yes, I did.

Mr. ARENS. Give us a word about him, please, sir.

Mr. NELSON. I attended many, many a meeting with Charles Hayes, in 4848 South Ashland, in his home, in my home, in different caucus meetings of party delegates, etc.

Mr. ARENS. To your certain knowledge was Hayes sent to any training school of the Communist Party?

Mr. NELSON. He was.

Mr. ARENS. Where was that conducted?

Mr. NELSON. I believe it was conducted here at 1628 West Division Street.

Mr. ARENS. In what work for the Communist Party was Hayes engaged?

Mr. NELSON. Well Hayes at that time was——

Mr. MOULDER. What time was that?

Mr. NELSON. That was 1946.

It was after the strike. They sent Hayes to school with the hope to build him up because they were afraid they were building a "Frankenstein" in Sam Parks, and they wanted to use Hayes as a buffer against Sam Parks, which they did.

Mr. ARENS. Did you know as a Communist, Rachel, R-a-c-h-e-l, Carter, C-a-r-t-e-r, Ellis, E-l-l-i-s?

Mr. NELSON. I did.

Mr. ARENS. Give us a word about Rachel Carter Ellis, please.

Mr. NELSON. I attended meetings with her, and she worked down at the Daily Worker office on Washington Boulevard, and I used to bring subs in to her, and when I worked with Wyckoff Steel she was in the Local 453 office. I worked with, I think he was her husband, Hilliard Ellis, Hilliard Ellis and Sam Mariani.

Mr. ARENS. Did you know as a Communist a person by the name of Leo Turner, T-u-r-n-e-r?

Mr. NELSON. I did.

Mr. ARENS. Give us a word about Leo Turner, please, sir.

Mr. NELSON. I know Leo Turner from working down at UE. He used to attend the Trade Union Commission meetings of the party that were held there on a Saturday, or Saturdays, rather. And I know he had gone to Spain.

Mr. ARENS. Did he go to Spain to fight for the Communists?

Mr. NELSON. He belonged to the Abraham Lincoln Brigade.

Mr. ARENS. Did you know as a Communist a person by the name of John Lewis, L-e-w-i-s?

Mr. NELSON. I did.

Mr. ARENS. A word about him, please, sir.

Mr. NELSON. John Lewis used to work at Hammond & Co., and then he was transferred to Swift, when they transferred their slaughtering operation. He was a member of the section committee of the Communist Party, and he was the organizer of the party in Swift & Co.

Mr. ARENS. Did you know as a Communist, Charles Proctor, P-r-o-c-t-o-r?

Mr. NELSON. I did.

Mr. ARENS. Tell us a word about him, please, sir.

Mr. NELSON. Charley Proctor was also a member of the section committee. I was in numerous meetings with him. He was sent to Russia by the party.

Mr. ARENS. For what purpose?

Mr. NELSON. That I don't know.

Mr. ARENS. Did you know as a Communist, Donald H. Smith, S-m-i-t-h?

Mr. NELSON. I did.

Mr. ARENS. Give us a word about him, please, sir.

Mr. NELSON. I met Donald Smith in caucus meetings of party delegates to the convention at Montreal and the convention in Cleveland.

Mr. ARENS. Did you know as a Communist, LeRoy Johnson?

Mr. NELSON. No, I didn't. I know LeRoy Johnson, but I didn't know him as a Communist.

Mr. ARENS. Now, sir, could you give us just a word about the organizational setup of the Communist operation within the greater Chicago area to your certain knowledge?

Mr. NELSON. Well, District 8 takes in the entire State and part of Lake County, Ind., and they have it broken down on a political basis, like senatorial and congressional districts and on a ward basis. And from there each branch has a given concentration on a factory. If it is in the 28th Ward, it would be the railroad industry; or if it is in the 14th Ward it would be packing. But the main concentration in Chicago is packing and steel. And in the period when I was sent to packing, Les Orear told me at that time that the party was really going to colonize in the packing industry.

Mr. ARENS. Was Les Orear known by you to be a member of the Communist Party?

Mr. NELSON. Yes, sir.

Mr. JOHANSEN. Mr. Counsel, excuse me, but as of what date, Witness, are you testifying as to your knowledge of the organizational setup of the Communist Party in the Chicago area?

Mr. NELSON. From 1934 through 1949, and like I say I wasn't in the party, but I was ideologically in sympathy with the party up

until '54 and '55, and up until that period that is when I knew about this setup.

Mr. MOULDER. Of course, as you know, in past hearings people have been named by witnesses as being members of the Communist Party, and if their names are common names and many other people have the same name, publication of those names sometimes causes embarrassment and reflections upon persons who are in no way whatsoever connected with the Communist Party. Do you know these people whom you named, where they may reside, or some additional identification so they might be distinguished from other persons having the same name?

Mr. NELSON. Well, I don't know where all of them reside. I know where some of them do, and it is possible that since that time they have moved.

Mr. MOULDER. I might add that they will be identified later during the course of these hearings.

Mr. NELSON. That is right.

Mr. WILLIS. And, of course, may I interpose this: Mr. Witness, you are being truthful and testifying at least very freely. Of course, what you have to say covers the period of time that you talked about up to 1954 or '55. Now, you broke with the Communist Party, disassociated yourself from the party about that time, and you cannot go beyond that date as to these witnesses. Is that correct?

Mr. NELSON. Not organizationally, no.

Mr. WILLIS. Not organizationally?

Mr. NELSON. Ideologically, I can, though, because I was a member of the Freedom of the Press Committee, I was a member of the National Negro Labor Council.

Mr. WILLIS. I am talking about up to 1955. I say you have no knowledge of their association or whether they may be members today or might have quit, like you did in 1955. The limit of your testimony goes up to 1955; is that correct?

Mr. NELSON. Well, as far as knowing them organizationally, you can't go beyond 1949; but I know of activity after that.

Mr. WILLIS. I see. Well, of course, our rules permit these witnesses to come forward themselves and to repudiate what you say, or, assuming you have told the truth—and I believe you have—they would have the right to do what you have done and say, "Well, that is correct; I had some association in years past, but I am not connected with the party any more." We would have to see their reaction if they want to testify.

Mr. JOHANSEN. Mr. Chairman, to further clarify the point that you are making, it is my understanding that the witness is not testifying of certain knowledge after 1954 or 1955 or thereabouts.

Mr. WILLIS. Well, he indicated that, from general knowledge, he thinks they might still be ideologically connected. But he has not been in the organizational features.

Mr. ARENS. Now, Mr. Nelson, you have testified extensively in an executive session and have been in extensive consultation with the staff on a number of items which are perhaps not germane to the scope of our inquiry in this session; isn't that correct?

Mr. NELSON. That is right.

Mr. ARENS. Mr. Chairman, in view of the outline of the scope of inquiry we have here today and in view of the fact that this witness has supplied the staff and the committee in executive session very substantial information on other items, other persons, and other areas of activity of the Communist operation with which we are not presently concerned within the scope of the framework of this particular hearing, I respectfully suggest that would now conclude the staff interrogation of this witness for this proceeding.

Mr. MOULDER. I wish to make it clear so that it might be thoroughly understood that all the persons whom you have referred to and named and identified as members of the Communist Party will be definitely and specifically identified during the course of these hearings by other witnesses.

Mr. NELSON. That is right.

Mr. MOULDER. We will stand in recess for a period of 5 minutes.

(Subcommittee members present: Representatives Moulder, Willis, and Johansen.)

(A brief recess was taken.)

Mr. MOULDER. The committee will be in order.

(Subcommittee members present: Representatives Moulder, Willis, and Johansen.)

Mr. MOULDER. Call your next witness, please, Mr. Arens.

Mr. ARENS. Mr. Leon Katzen, kindly come forward and remain standing while the chairman administers an oath to you.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KATZEN. I do.

A.C.U.A. 5/5/59
TESTIMONY OF LEON KATZEN, ACCOMPANIED BY COUNSEL,

aka. Mike Samuel
IRVING G. STEINBERG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. KATZEN. My name is Leon Katzen, K-a-t-z-e-n. My residence is 1616C Touhy Avenue, Chicago, Ill.

Mr. ARENS. And your occupation, please, sir?

Mr. KATZEN. I will refuse to answer that question.

However, Mr. Chairman, I should first like to address a challenge to the committee based on what I consider to be the illegality of the subpoena which was served upon me. I have neither been informed of the purpose of this inquiry nor have I ever been shown the rules of this committee.

Mr. MOULDER. Very well.

Now the question directed by counsel was to state your occupation and—is that correct?

Mr. ARENS. Yes, sir. Would you kindly tell us your occupation? (The witness conferred with his counsel.)

Mr. KATZEN. May I, Mr. Chairman, have a copy of the rules and a copy of the stated purpose of this inquiry?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question as to his occupation. (The witness conferred with his counsel.)

Mr. MOULDER. The witness is directed to answer the question.

Mr. KATZEN. Mr. Chairman, I believe that I am within my rights, particularly in the light of the comments made earlier by Mr. Willis, in asking for a copy of the rules of the committee.

Mr. ARENS. Witness, there is a copy of the rules of the committee which I am laying there on the table for your counsel.

Now would you kindly answer the question, what is your present occupation?

Mr. KATZEN. Now, sir, I should like to have also a copy of the statement of the purpose.

Mr. ARENS. I will be glad to explain to you the pertinency and purpose of this particular inquiry. The Committee on Un-American Activities—

Mr. MOULDER. Mr. Arens, just a moment, if you please.

Were you in the hearing room at the time I made the opening statement about 10 o'clock?

(The witness conferred with his counsel.)

Mr. KATZEN. Yes, Mr. Chairman, I was. I have been subpoenaed to arrive here at 10 and I was here promptly. However, sir, may I say that your statement of the purpose of the inquiry, beginning with the authorizing resolution going back to the 79th Congress, was lengthy, complex, surrounded by all the difficulties of acoustics in this hall. This was a statement of purpose which, it occurs to me, for a witness properly to testify would require careful consideration, careful study in order that a witness might not only, if so minded, cooperate with the committee, but at the same time protect his own rights as guaranteed to the witnesses appearing before the committee.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question as to his occupation.

(The witness conferred with his counsel.)

Mr. MOULDER. The witness is directed to answer.

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, do I understand that I am being refused a copy of the statement of the purpose which you read at the opening of the session?

Mr. MOULDER. The record will show that the witness heard the statement read by the chairman of the subcommittee at great length, at which time the explanation was fully made and the witness was thoroughly informed of the purposes of this hearing. And you are directed to answer the question, and if you refuse, then we will proceed with the next question.

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, it means, as I understand it, then, that I am proceeding without a full knowledge of the purpose of the inquiry which is being carried forward here.

Mr. MOULDER. No. The record clearly shows that you have been thoroughly informed, that you heard the statement read, which clearly explains the purpose of the inquiry and the hearing being held.

(The witness conferred with his counsel.)

Mr. MOULDER. And in making this direction to answer the question, I wish to also say that it is not in the nature of a threat, but it is so that you might be fully advised and informed of the possible dangers

which you might be incurring in that you might be in contempt of Congress by refusing to answer the question.

Mr. KATZEN. Sir, I respect the motives with which this advice is given me. Nevertheless, I must ask to be permitted to state for the record that I was served with a subpoena which I considered to have been illegal, in that I was neither served with the rules of the committee nor with the purpose of the inquiry to which I was being asked to make myself present, and apparently I am being so refused now.

Mr. MOULDER. Before you proceed further, Mr. Arens, do you not think counsel should identify himself?

Mr. ARENS. That generally follows, as the chairman will recall, after the witness identifies himself; part of his identity is his occupation, which he thus far refuses to give to the committee on this record. As soon as he gives his occupation, we subsequently identify the counsel.

Now, sir, kindly tell us what is your occupation?

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, without having been given an opportunity to familiarize myself with the purpose of this inquiry and having been ordered to answer the question, I will now proceed. I shall refuse to answer this question on the following several grounds:

First of all, I rely upon the first amendment to the Constitution of the United States, which says that Congress shall pass no law abridging freedom of speech, freedom of press, freedom of people peaceably to assemble or to petition their Government for redress of grievances.

Further, I am refusing to answer this question on the grounds that the authorizing resolution referred to by Mr. Willis, under which this committee operates, is vague, nebulous, without specificity. Who is to say what is the meaning of un-American? There are those of us who believe that it is un-American to deprive the Negro children throughout the South of equality of education. There are those of us who believe that it is un-American to—

Mr. MOULDER. You were not asked to make any argument before the committee. As I understand, you declined to answer, claiming protection under the first amendment.

Mr. KATZEN. Mr. Chairman, I had not yet completed my several grounds.

Mr. MOULDER. Proceed. Make it as brief as possible.

Mr. KATZEN. I further am refusing to answer this question on the grounds of lack of pertinency. It has been stated here repeatedly that this is an inquiry into something to do with the labor movement. This certainly cannot be related to me, nor can my testimony, which I might give, be pertinent to the publicly stated purpose of this inquiry.

In the Watkins case I believe that the point was made very clear by Mr. Chief Justice Warren, speaking in behalf of the majority of the Supreme Court, in stating that it is necessary that there be pertinency to the question.

Mr. MOULDER. We cannot spend all our time listening to you reviewing the decisions of the Supreme Court. We will be tolerant and have every respect for the witness. Now, as I understand, you decline to answer that question, and you have stated your reasons,

claiming the protection under the provisions of the Constitution, is that correct?

Mr. KATZEN. Under the provisions of the Constitution, Mr. Chairman, and I should like to state also for the record that I have full respect for the Congress of the United States of America. Nevertheless, I feel that I should not be denied the opportunity to state fully the grounds upon which I am refusing to answer this question.

(The witness conferred with his counsel.)

Mr. KATZEN. The Supreme Court—

Mr. MOULDER. At this point, I would like to make a part of the record in connection with the testimony of this witness the statement which I read at the opening of this hearing this morning at 10 o'clock, the opening statement made by me as chairman of the subcommittee. I would like to insert this document in the record at this point and have the record show that it is the statement referred to by the witness which he has admitted he heard read at the opening session of this hearing.

(For opening statement, see pp. 513-518.)

Mr. KATZEN. Mr. Chairman, would it be permissible for me to ask that my counsel be given a copy of this statement which has just been inserted into the record?

Mr. ARENS. Yes, I give it right now.

Mr. MOULDER. May the record show that counsel representing the witness has a copy of the opening statement made by the chairman of this subcommittee.

Mr. ARENS. If you will hesitate there, may I inquire, are you represented in this proceeding by counsel?

(The witness conferred with his counsel.)

Mr. KATZEN. Yes.

Mr. ARENS. Counsel, would you kindly identify yourself?

Mr. STEINBERG. My name is Irving Steinberg, 180 West Washington.

Mr. ARENS. Now, Mr. Witness, have you completed your answer, your response to the question as to your present occupation?

Mr. KATZEN. No, sir; I have not.

Mr. ARENS. Would you kindly complete your answer?

Mr. KATZEN. I further rest my refusal to answer this question on the grounds that in light of the Watkins decision any questions which may be placed to me in this inquiry must necessarily lack specificity, pertinency, and consequently they must be without any meaning for me.

Lastly, I should like to state that I am refusing to answer this question on the ground of the protection afforded, the privilege afforded, by the fifth amendment of the Constitution of the United States, which guarantees that I do not have to be a witness against myself; that I do not have to testify in a proceeding of this sort.

Mr. ARENS. Now, sir, do you honestly apprehend that if you told this committee truthfully, while you are under oath, what your present occupation is, you would be supplying information which might be used against you in a criminal proceeding?

Mr. KATZEN. Mr. Arens, I have been sworn in at these proceedings. I would be bound to give an honest answer, if only out of fear of the possibility of perjuring myself. The answer that I gave in refusing to answer the prior question was evidently an honest one.

Mr. ARENS. Now, Mr. Witness, you said a few moments ago you had difficulty determining what the purpose of this inquiry is here. I display to you now a document, which was identified by a previous witness, issued by the Chicago Committee to Defend Democratic Rights, signed Leon Katzen, chairman, and Richard Criley, executive secretary, in which the Chicago Committee to Defend Democratic Rights announces to the world what that committee thinks the purpose of this particular inquiry is.

Would you kindly look at this document, which has been identified on this record by sworn testimony, and tell this committee whether or not you are the chairman of the Chicago Committee to Defend Democratic Rights?

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. KATZEN. May I have an opportunity to read this?

Mr. MOULDER. Certainly.

Mr. KATZEN. Do I address myself to the chairman or you?

Mr. ARENS. If you please.

Mr. KATZEN. Mr. Chairman, I am refusing to answer this question on several grounds, which I should like to set forth.

(Document previously marked "Nelson Exhibit No. 1" appears on p. 521.)

Mr. ARENS. Are those the same grounds you stated a few moments ago?

Mr. KATZEN. Might I be permitted to state the grounds?

Mr. ARENS. Would you kindly answer whether or not they are the same grounds you stated a few moments ago?

Mr. KATZEN. Sir—

Mr. MOULDER. To expedite the proceedings and not take so much of your time, you can, if you wish, reassert the same reasons by reference and they will be considered as the same reasons in response to this question.

Mr. KATZEN. I should like, if I may, to restate the reasons, if only for the purpose of making precise and perfectly clear what my reasons are for refusal to answer.

Mr. MOULDER. You have that privilege.

Mr. KATZEN. All right, sir.

I am refusing to answer this question on the grounds that the question violates the rights guaranteed me under the first amendment to the Constitution of the United States. It seems to me, I may say, Mr. Chairman, that addressing this question to me precisely violates my rights under freedom of the press, because apparently this written piece of material to which my name is allegedly attached is something which is considered to be inimical and worthy of investigation in the light of subversive propaganda objectives which the committee is interested in.

I further refuse to answer this question again on the grounds of the lack of specificity of the authorization originally granted this committee, in that there is no one who is able to define the meaning of the word "un-American," and I tie this up with my earlier ground, in that it is implied that a statement of this kind is un-American. I submit, sir; there might be a wide variance of opinion about this, just as there could be a wide variance of opinion as to the activities, let it be said, of this committee.

I likewise, sir, would like to reiterate the grounds which I stated last, which is that I invoke the privilege under the fifth amendment of refusing to be called upon to serve as a witness against myself.

Mr. ARENS. Sir, are you now, this very instant, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. KATZEN. Sir, I am refusing to answer this question on the basis of several grounds which I should like to cite. First of all, I rest my refusal to answer this question on the ground that it violates a freedom guaranteed me under the first amendment, to the Constitution of the United States of America, which states that Congress shall pass no law abridging the right to freedom of assembly and by extension to freedom of association.

I should further like to state as my ground for refusal to answer this question that the authorizing resolution empowering the activity of this committee is vague, nebulous, without specificity, consequently meaningless.

And I repeat what is the meaning of un-American is subject to much debate and discussion. There are those of us who believe that the activities of the Atomic Energy Commission in denying to the American people the facts concerning the hazards of radiation fall out are pursuing an un-American course.

Mr. MOULDER. That, of course, is argument about the use of the phrase "un-American." I cannot see that that is in point.

Mr. KATZEN. I further insist to register my refusal to answer this question on the grounds of lack of pertinency and relevance of any questions which will be placed to me during an inquiry having to do with the labor movement to myself. They are completely unrelated.

And lastly, I want to restate my ground that I invoke the privilege of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that Mr. Nelson be called forward now.

Mr. Nelson, would you kindly come forward?

TESTIMONY OF CARL NELSON—Resumed

Mr. ARENS. Mr. Nelson, an hour or so ago, you were sworn to tell the truth before this committee, were you not?

Mr. NELSON. That is right.

Mr. ARENS. During the course of your testimony you stated, in effect, that while you were a member of the Communist Party you knew as a Communist a person by the name of Leon Katzen. Is that correct?

Mr. NELSON. That is right.

Mr. ARENS. Do you see now in this Federal court room the person who, to your certain knowledge, was a member of the Communist Party whom you knew by the name of Leon Katzen?

Mr. NELSON. Yes, sir.

Mr. MOULDER. And referred to in your testimony.

Mr. ARENS. Would you kindly point him out now to this committee?

Mr. NELSON. Right there. [Indicating.]

Mr. MOULDER. The record will show that the witness, Mr. Nelson, pointed to Katzen, the witness now on the stand.

TESTIMONY OF LEON KATZEN—Resumed

Mr. ARENS. Mr. Katzen, Mr. Nelson has just looked you in the eye and, while he was under oath, identified you, in your presence, in the presence of your counsel, and in the presence of this committee in this public session, as a person known by him to be a member of the Communist Party. So there will be no question of the faceless informer, would you kindly look Mr. Nelson in the face and tell this committee now: Was Mr. Nelson telling the truth when he swore you were a Communist or was he in error?

Mr. KATZEN. Mr. Chairman, I must now most respectfully suggest and urge that my counsel be given the opportunity to cross-examine this witness, otherwise the identification be expunged from the record as having come from, in fact, a faceless informer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. MOULDER. I want to make this statement in response to what the witness has just said.

Our committee is the only investigating committee that I know of in the Congress having rules and regulations which give to witnesses subpoenaed before the committee an opportunity under our rules to be represented by counsel, to be advised at all times during the course of the hearings. We have gone as far as is possible. We have adopted procedures to protect the individual rights of witnesses appearing before the committee without going into the courtroom procedure, because after all the witness is not on trial. This committee has no authority to punish anyone or to prosecute anyone. If we complied with your request, we would be here all day in cross-examination of the witness as requested by you.

Then, secondly, you have been accused (identified) here by the witness, Mr. Nelson. He has made his statement very frankly. You heard his testimony at great length in the hearing room, and he positively identified you as a person he referred to in his testimony. And now instead of availing yourself of the opportunity of denying or affirming his testimony, you take refuge behind the request that your counsel be permitted to cross-examine.

Now, do you wish to deny or affirm the statement made by Mr. Nelson in his testimony concerning your Communist activities?

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, exactly for the reason that you, sir, used the word "accused" with all of the implications and overtones which flow from the ordinary meaning of that word and in the light of the fact that in the Watkins case the Supreme Court said that the guarantees of due process before an investigating committee must be no less than those in the judicial process, I now, therefore, renew my request that my counsel be permitted to cross-examine the last identifying witness, or that the testimony given by this witness in the form of accusation against me be expunged from the record as of no value, worthless, misleading, and irrelevant.

Mr. MOULDER. Proceed, Mr. Arens.

Mr. ARENS. Have you ever used any name other than the name Leon Katzen?

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, I must refuse to answer this question basing myself on several grounds which I should like to cite.

I first base my refusal to answer this question on the basis of the first amendment to the Constitution of the United States, which guarantees that each citizen shall enjoy without abridgment by Congress freedom of speech, freedom of press, freedom of assembly, that under the fifth amendment to the Constitution each citizen shall be guaranteed freedom of his person.

I further cite as grounds for my refusal the fact that the authorizing resolution under which this committee operates is without sufficient clarity and definition; is so nebulous and vague as to make the purposes, the aims, and the objectives of this committee meaningless, or of multiple meaning, depending upon the observer.

I further cite as a ground the lack of pertinency and relevancy in a hearing of the kind that this has been announced to be of any questions which may be put to me.

And lastly, I base my refusal to answer this question on the grounds that under the fifth amendment I cannot be compelled to become a witness against myself.

Mr. MOULDER. Before proceeding, Mr. Arens, may I say this: In the beginning you stated you heard the statement read this morning about the purposes for which the hearings are being held. In that statement we stated our desire to know the extent, the character, and the objectives of the Communist infiltration and Communist Party propaganda activities in the labor unions in the area of Chicago.

We want this information produced by the committee for its consideration of amending section 4 of the Communist Party Control Act of 1954.

I ask you this question: Do you have any knowledge or information concerning the extent, character, and objectives of the Communist Party's infiltration and Communist Party propaganda activities in labor unions within the area of Chicago?

Mr. KATZEN. Mr. Chairman, it is my understanding—and you will correct me if I am in error—that the subpoena which was served upon me on the 30th of April was seemingly served as an afterthought. The subpoenas which were served on other people who may be called upon to testify today were issued far prior to this time.

Mr. MOULDER. May I interrupt?

Mr. KATZEN. May I ask a question, sir?

Mr. MOULDER. You are not answering the question. It is a very simple question. Do you have or possess any such knowledge or information?

(The witness conferred with his counsel.)

Mr. KATZEN. But, Mr. Chairman, I am trying to get some clarification, and this is why I put the question as I did. It is my understanding—correct me if I am wrong—that the subpoena served upon me was served only after a letter to which my name has allegedly been signed, calling for the abolition of this committee, was freely circulated in this area. I want to understand if that is the connection between my appearance here and my receipt of the subpoena.

Mr. MOULDER. Do you decline to answer the question?

(The witness conferred with his counsel.)

Mr. KATZEN. Well, Mr. Chairman, the question appears to me to be so vague, consisting actually as it does, if I understand it correctly,

of three separate questions, that I must refuse to answer it on the grounds which I have previously cited in my refusal to answer prior questions.

(The witness conferred with his counsel.)

Mr. MOULDER. Do you have any knowledge or information whatsoever concerning Communist Party techniques and strategy in the raising of money for the benefit of the Communist Party in this area?

(The witness conferred with his counsel.)

Mr. KATZEN. It is my impression, Mr. Chairman, that this question because of its vagueness, because of the fact that it embodies really several questions, cannot be answered; and, therefore, I must refuse to address myself to it on the grounds that number 1, under the protection of the first amendment to the Constitution of the United States, which states that Congress shall pass no law abridging freedom of speech, freedom of press, freedom of citizens peaceably to assemble or freedom to petition their Government for redress of grievances; on the ground that the authorizing resolution under which this committee is operating is so vague and tenuous and diffused as to be without specific meaning and that, therefore, necessarily the questions which will be placed to me will be vague; that the questions placed to me must necessarily lack of relevancy, pertinency, and have no relationship to me; and lastly on the grounds that under the fifth amendment to the Constitution I cannot be compelled to become a witness against myself.

It is for these reasons that I refuse to answer this question.

Mr. WILLIS. Mr. Chairman, I am not asking a question, but I call attention to this part of your statement which, of course, is correct: Despite statements that have been made that this committee has no legislative purpose, the truth of the matter as stated in your statement is, and I quote, "Legislation has been passed by the Congress embracing 35 of the committee recommendations."

Mr. MOULDER. That is correct. And in connection with the question being asked, I cannot understand how you can construe the question which I propounded, as to whether or not you have any knowledge or information, as being a vague question. Again I direct the witness to answer the question.

Mr. KATZEN. Mr. Chairman, could I ask that the court reporter read the question back so that I may test my memory as to whether it, in fact, was not a vague question consisting, in fact, of several questions?

Mr. MOULDER. The record will speak for itself. I think your request is purely vexatious to delay our proceedings. Go ahead, Mr. Arens.

Mr. ARENS. Mr. Chairman, so the record may be straight as to the pertinency, I should like now, as I have done in previous hearings, to make on this record a legalistic explanation of the pertinency of this subject which is under inquiry by this committee:

Sir, the Committee on Un-American Activities is under a mandate from the United States Congress to perform two principal functions. One function is to maintain a continuing surveillance over the administration and operation of the security laws. These laws include the Internal Security Act of 1950, the Communist Control Act of 1954, the Foreign Agents Registration Act, numerous provisions of the Criminal Code relating to espionage, sabotage, and internal security.

The second principal function of this committee is to develop factual information upon which it can recommend to the Congress of the United States legislative proposals for the purpose of safeguarding the internal security of this Nation. Over the course of many years, this committee has assembled great quantities of factual information which has been the basis upon which the Congress of the United States has enacted considerable internal security legislation.

It is the information of this committee and it is the information of the United States Congress—indeed, it ought to be the information of all patriotic Americans—that there is sweeping the world now a godless, atheistic conspiracy known as communism, an international conspiratorial operation of which the conspiracy in the United States is just one tentacle. It is the objective of this conspiracy to crush all human freedom. It is the objective of this conspiracy to stamp out all the values upon which this civilization in the West and the free world has been founded.

It is the information of this committee, sir, that you are part and parcel of that conspiracy; that you, sir, are a dedicated, hard-core Communist; that you, sir, have been practicing the techniques, conspiratorial operations of the Communist conspiracy within the greater Chicago area dedicated to overthrow this Government of the United States and dedicated to destroy the Constitution of the United States, behind which you have sought protection today.

Before this committee in executive session based upon intelligence information, we believe that you, sir, presently have information respecting the operation of that conspiracy which is sweeping the world and which, according to this witness this morning and other witnesses of like-knowledge, is more serious, a more deadly menace than ever before in the history of this Nation.

Now, sir, with that explanation of pertinency, I ask you this question: Have you, sir, in the course of your life used the name Mike Samuels, S-a-m-u-e-l-s?

Mr. KATZEN. Mr. Chairman, I am not used to inquiries of this sort. It appears to me, however, that the dictates of justice would require that I be given an opportunity to make a statement with regard to the lengthy statement that was made by the staff director.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered to answer the question as to whether or not he has in his lifetime used the name—

Mr. KATZEN. Mr. Chairman—

Mr. ARENS. —Mike Samuels.

Mr. KATZEN. Mr. Chairman, I am asking for an opportunity to answer the statement.

Mr. MOULDER. The counsel has given you a very lengthy explanation of the pertinency of the question that has been propounded.

Would you repeat the question, Mr. Arens?

Mr. KATZEN. He also made accusation.

Mr. ARENS. The question is, Have you used the name Mike Samuels?

Mr. KATZEN. The question, sir, is clear enough.

Mr. ARENS. If you give us a truthful and complete answer to that question, I expect to explore with you some of your activities in the conspiracy known as the Communist Party in the greater Chicago area in which you have used the name Mike Samuels.

(The witness conferred with his counsel.)

Mr. ARENS. Now, sir, would you kindly answer the question?

Mr. KATZEN. Mr. Chairman, the question is certainly clear enough, but the statement which contained a variety of accusations and innuendoes against me requires, in my opinion, in simple justice a rebuttal—

Mr. ARENS. Do you want to deny—

Mr. KATZEN. —an answer.

Mr. ARENS. —you are, and in the past have been, a member of the Communist conspiracy operating in the Chicago area?

Mr. KATZEN. Sir; what I want to state is that all of the activities which this committee is allegedly looking into are protected by the first amendment to the Constitution of the United States, and that the best effort that this committee might make would be to exercise that first amendment more than it has been exercised in the recent period of time, if we are truly dedicated to the maintenance of the freedoms upon which this country was founded.

Mr. MOULDER. The witness is directed to answer the question propounded by counsel.

Mr. KATZEN. Mr. Chairman, at this time I must refuse to answer this question upon the basis of several grounds which I wish to state; and while I don't know whether it may legally be cited as a ground, Mr. Chairman, it appears to me—I am not oversensitive, I am not a child—but I gather that there is a very definite overtone of hostility being directed against me by the staff director. However, this is not one of the grounds for my refusal to answer, because I don't know whether it would be acceptable.

My grounds are rather, No. 1, that I feel that the question put to me is a violation of the rights guaranteed me under the first amendment to the Constitution of the United States; No. 2, that the question put to me flows from an authorizing resolution to this committee which is so vague and nebulous, tenuous, and without boundary as to make any question which flows from that authorizing resolution necessarily vague, nebulous, unanswerable.

I further refuse to answer this question on the oft-stated grounds of lack of relevancy and pertinency to me or to this inquiry as the inquiry has been given a purpose in the public statement by the chairman.

And last, I suggest that I have the right to refuse on the grounds that the subpoena issued to me was, in fact, issued as an afterthought by reason of the allegation that I was a signer of a piece of material which, in fact, was not distributed outside the courthouse, but which I am reliably informed was received through the mail by some 10,000 people throughout this area.

And lastly, I am refusing to answer on the grounds that the fifth amendment guarantees that I may not be compelled to become a witness against myself.

Mr. ARENS. In passing, would you tell us who informed you that there were 10,000 of these leaflets distributed by this Chicago Committee to Defend Democratic Rights? Could you help us on that, please, sir?

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, it may very well be that the individual who told me 10,000 copies may have been in error. It may very well have been 15,000 or 20,000 copies.

Mr. MOULDER. Not questioning the accuracy of the number, he asked you the question of who told you. You have opened up a subject of discussion by making that statement.

Counsel, you heard—that question.

Mr. KATZEN. Mr. Chairman, may I understand? Am I being directed to answer that question?

Mr. MOULDER. Yes, answer the question. You raised the question. I think you should be directed to answer. You have not answered any question yet. We would like to have some answers.

Mr. KATZEN. Are you directing me, sir?

Mr. MOULDER. Yes, you are being directed.

Mr. KATZEN. If I am being directed, sir, then I must refuse to answer this question, and to save time, on the basis of the same essential grounds as those which I cited for my refusal to answer all prior questions.

Mr. MOULDER. For reasons previously given.

Mr. ARENS. Now, sir, I display to you an original card, a transfer card to be sent to the central office through the district office—the central office of the Communist Party of the U.S.A.—transferring a particular comrade from one section of this conspiratorial operation to another. This transfer card is signed by Mike Samuels, S-a-m-u-e-l-s, on the transfer card identified as “organizer.” The date on this transfer card is March 1, 1939.

Kindly look at this transfer card which I display to you and tell this committee, while you are under oath, whether or not you are the Mike Samuels—you used the name Mike Samuels—and whether or not you affixed the signature “Mike Samuels” to that Communist Party transfer card.

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. STEINBERG. May I look at Exhibit 1?

Mr. ARENS. Exhibit 1?

Mr. STEINBERG. Yes.

Mr. MOULDER. The record will show the witness and his counsel are examining the document—

Mr. STEINBERG. Yes, that is so, sir.

Mr. MOULDER. —referred to by counsel.

Mr. KATZEN. Mr. Chairman, I must refuse to answer that question on the grounds which I shall, if I may, with your permission, sir, cite in capsule form as essentially those which I cited before, to wit:

On the grounds that the first amendment to the Constitution of the United States is the guarantee for every American citizen that Congress shall pass no law abridging freedom of speech, freedom of the press, freedom of religion, freedom of the right peaceably to assemble, freedom of citizens peaceably to address petitions to their Government for redress of grievances;

On the further grounds that the authorizing resolution of this committee is sufficiently vague and tenuous as to permit of so wide a variety of interpretations as to be in effect without meaning, that the specific jurisdiction of this committee for the purpose of conducting this inquiry is consequently vague.

Mr. JOHANSEN. May I suggest, Witness, this is a pretty large capsule, and I think the witness answered adequately when he said it was on the previous grounds. These are obvious dilatory tactics.

Mr. MOULDER. You can, of course, decline to answer and claim the very same reasons previously stated. It might expedite the proceedings. But, on the other hand, we want to give you the privilege.

Mr. KATZEN. Sir, that was my offer, and I believe on my prior question I did answer that way, but that on the question before that I answered once more at length, lest there be any misunderstanding concerning precisely what these grounds are.

Mr. MOULDER. You claim all of the reasons?

Mr. KATZEN. Show for the record that I am willing, sir, to let it go.

Mr. MOULDER. You are declining to answer for all of the reasons previously stated?

Mr. KATZEN. Yes.

Mr. MOULDER. Any one and all.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the exhibit I displayed to the witness be appropriately marked and incorporated by reference in the record.

Mr. MOULDER. Yes; it is so ordered.

(Document marked "Katzen Exhibit No. 1" and retained in committee files.)

Mr. ARENS. How long have you been employed at your present occupation?

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, I submit that this question is most clearly an invasion of my privacy. I, therefore, refuse to answer on the grounds that the first amendment to the Constitution of the United States serves as a guarantee for every citizen that Congress shall pass no law abridging the right of the people of the United States to the freedom of press, freedom of religion, freedom of speech, freedom of assembly, and freedom to petition their Government for a redress of grievances.

I further refuse to answer this question on the grounds that this question is most closely related to the lack of specificity and clarity in the authorizing resolution under which this committee operates.

Further than this, I am refusing to answer on the ground of lack of relevancy between this question and the today publicly stated purpose of this inquiry and the lack of relevancy between questions put to me and that purpose.

Lastly, I am declining to answer on the ground that under the fifth amendment to the Constitution of the United States I may not be compelled to become a witness against myself.

Mr. ARENS. Now, sir, I display to you a thermofax reproduction of the announcement of the Chicago Workers School, South Side Branch, in which certain classes are scheduled and in which the professors, the instructors, are listed. On Wednesday according to this schedule of classes of the South Side Branch, a number of persons are listed here as the professors and on Thursday there is to be an "Institute on General Crisis of Capitalism," and the teacher there, the instructor, is Leon Katzen.

Kindly look at this document which I display to you now and tell this committee whether or not that refreshes your recollection and

whether or not you are the Leon Katzen who was the instructor at the Chicago Workers School?

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. MOULDER. Let the record show that witness and his counsel are examining the document referred to by committee counsel.

Mr. KATZEN. Mr. Chairman, among the many grounds which I have cited for my refusal to answer earlier questions, was one which I shall be very happy to repeat and that is the lack of pertinency and relevancy.

If my glasses are properly shined up, it appears to me that this or the original of this was published 10 years ago. I cannot see how even if this were in fact a facsimile reproduction of an original which in fact did exist, how it could possibly have any pertinency or relevancy either to this hearing or to me.

Secondly, I see nothing about the identification of a workers school which would, in fact, establish that such a workers school existed. I understand that there are printing processes whereby these things can be reproduced in wholesale without any date or any type of copy on them.

However, further than this, I should like to state as my original grounds for refusing to answer this question, those which I have already in addition cited, that is, in addition to the one concerning the lack of relevancy and pertinency.

(Document marked "Katzen Exhibit No. 2" and retained in committee files.)

Mr. ARENS. Do you presently, this instant, have information respecting the techniques, strategy, and operation of the Communist conspiracy in the greater Chicago area?

(The witness conferred with his counsel.)

Mr. MOULDER. Let us proceed. Do you wish to decline to answer that question?

Mr. KATZEN. Mr. Chairman, I am sorry. Either I have lost the question or I have—

Mr. MOULDER. There is a question pending.

Mr. KATZEN. Was the last a question on the part of—

Mr. ARENS. Yes. The question is, do you, this instant, have information respecting the operation in the greater Chicago area presently of the Communist Party and the Communist conspiratorial operation?

Mr. KATZEN. Sir, I must refuse to answer that question on the grounds that it tends to violate the guarantees provided by the first amendment to the Constitution of the United States. I must further refuse to answer this question on the grounds that it flows from the general, nebulous procedure employed in a tenuous resolution upon which this committee has been functioning, which is so lacking in boundary and clarity as to be meaningless and unanswerable; on the grounds of lack of relevancy and pertinency; and on the grounds that there is a lack of specific jurisdiction on the part of this committee; and lastly on the grounds that the Constitution of the United States in its fifth amendment provides me the privilege of refusing to become a witness against myself.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. MOULDER. I do not want to prolong the hearing. I should have asked this in the beginning. We did not have the opportunity to go into this matter because your immediate reaction to any question was with a preconceived or determined intention of not answering any questions. But I do not believe these questions were asked of you, and I am sure the committee would like to know. Do you reside here in Chicago?

Mr. KATZEN. Sir, the record already bears, I believe, my earlier statement in answer to the question of Mr. Arens, that I am a resident of the city of Chicago.

Mr. MOULDER. Were you born and reared here?

Mr. KATZEN. Sir, I must refuse to answer that question upon exactly the same grounds upon which I refused to answer all other questions.

Mr. MOULDER. Any questions, Mr. Willis?

Any questions, Mr. Johansen?

The committee will recess until 2 o'clock.

(Subcommittee members present: Representatives Moulder, Willis, and Johansen.)

(Whereupon, the subcommittee recessed at 12:15 p.m., to reconvene at 2 p.m. of the same day.)

AFTERNOON SESSION, TUESDAY, MAY 5, 1959

Mr. MOULDER. The committee will come to order.

(Subcommittee members present: Representatives Moulder, Willis, and Johansen.)

Mr. MOULDER. Mr. Arens, the staff director for the committee, will call the next witness, please.

Mr. ARENS. Mr. Richard Criley, please come forward. Please remain standing while the chairman administers an oath.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CRILEY. I so swear.

TESTIMONY OF RICHARD CRILEY, ACCOMPANIED BY COUNSEL, IRVING G. STEINBERG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. CRILEY. Richard Criley, 709 South Spaulding Street, Chicago 24. I-I-I.

Mr. ARENS. And your occupation, please, sir?

(The witness conferred with his counsel.)

Mr. CRILEY. My ancestor, Childs Corey, died in Salem, Massachusetts, in the year 1692, a victim of the Salem witch hunt. Mr. Arens, I think you can understand if my family has a long aversion to witch hunts of any kind and also if it is an article of faith in my family to believe in the Bill of Rights. I cannot in conscience encourage a further erosion of the Bill of Rights by answering your question.

Mr. MOULDER. The witness is directed to answer the question.

(The witness conferred with his counsel.)

Mr. CRILEY. I am consulting with counsel, sir. It is irrelevant. (The witness conferred with his counsel.)

Mr. MOULDER. The question is, What is your occupation?

Mr. CRILEY. First of all, in refusing to answer that question, I want to give my reasons for so refusing. A subpoena was issued to me on April 30. I was not given a copy of the rules of this committee nor any statement of the legislative purpose of this committee. I believe, therefore, that that subpoena is invalid and in view of this I am not obligated to answer any questions of the committee.

Further, I believe that my being called here and the question asked me is a violation of my rights under the first amendment which states that Congress may make no laws abridging freedom of religion, freedom of speech, press, assembly, or the right to petition the Government for redress of grievances.

Third, this committee lacks what might be called a legal mandate to function, as was pointed out in the Watkins decision of the Supreme Court.

The Constitution of the United States, Article I, states that the job of Congress is to legislate. Article II states that the job of the Executive is assigned to the President. Article III states that the job of the Judiciary is assigned to the Supreme Court and inferior Federal courts.

The mandate of this committee is so general as to be meaningless in the words of Supreme Court Justice Earl Warren. It think it is clear that the meaning of "un-American" is subject to all manner of interpretation.

Mr. Truman on April 30 in a lecture before Columbia University stated that the most un-American thing in the United States is the House Un-American Activities Committee. If one were to accept Mr. Truman's construction of the word "un-American," then this committee would properly be investigating itself.

I am sure that you gentlemen place a different construction upon the word. But I state this only to illustrate the fact that legally one can have no clear idea as to what is intended by "un-American activities" and that there is, therefore, no legal mandate from the Congress of the United States to this committee to conduct this hearing.

Further, I would like to ask Mr. Arens for a copy of the statement which he has introduced, I believe, into the record of this hearing with the previous witness.

Mr. ARENS. We will supply that to you right now. It is being supplied to you right now.

(A document was handed to the witness.)

Mr. ARENS. Does that complete your answer, sir?

Mr. CRILEY. It does not complete my answer.

Mr. ARENS. Would you kindly proceed.

Mr. CRILEY. I am sorry. I was asking for Exhibit 1. I received a copy of the statement of purposes of the committee. Needless to say, I have had no opportunity to read this statement.

I would like to ask Mr. Arens again if I may have what has been introduced into this hearing as Exhibit 1.

Mr. ARENS. At an appropriate time we are going to display that to you.

Would you please answer the question?

Mr. CRILEY. I would like to have that statement because it has the bearing on the heart of the legal reason I am going to give for my refusal to answer your question. I again request that Mr. Arens give me a copy of Exhibit 1.

Mr. ARENS. At an appropriate time I am going to display it to you, if you will kindly answer the question now as to your occupation.

Mr. CRILEY. Mr. Chairman, my legal defense is based upon that document, and I request that you instruct Mr. Arens to let me have a copy of the document.

Mr. ARENS. We will interrupt your train of thought, if you do not mind, to present this to you.

(A document was handed to the witness.)

Mr. CRILEY. Mr. Arens, I am stating my legal reasons for refusing to answer your question.

Mr. MOULDER. Just a minute. This is an introductory question asked you. You have given your name. The next question was to state your occupation. You conferred with your attorney, who sits beside you, and advised with him, and now you have made a long argument to state much of which is no valid reason whatsoever for declining to answer the question. But we have been very tolerant in giving you plenty of time. Now you are directed to answer the question. You have refused and declined to answer it.

Mr. Arens, proceed with the next question.

Mr. CRILEY. Mr. Moulder, may I state for the record of this hearing that I have been cut off and have been prevented from stating my legal reasons for refusing to answer the question which I was under direction—

Mr. MOULDER. You are making a vexatious delay and dilatory argument and statement.

Proceed with the next question.

Mr. ARENS. Now, Mr. Criley, you are represented by counsel in this proceeding today?

Mr. CRILEY. Yes, I am represented by counsel.

Mr. ARENS. Counsel, would you kindly identify yourself on this record?

Mr. STEINBERG. My name is Irving G. Steinberg, 180 West Washington.

Mr. ARENS. Mr. Criley, you said a few moments ago you were vigorously opposed to witch hunts; is that correct?

(The witness conferred with his counsel.)

Mr. CRILEY. Yes. I said I was opposed to witch hunts of all kinds.

Mr. ARENS. Have you taken a position with reference to witch hunting or characterized the present proceedings as witch hunting? These hearings here today, have you characterized those as witch hunting?

(The witness conferred with his counsel.)

Mr. CRILEY. I am going to decline to answer that question first of all on the basis that the question itself has no valid legislative purpose in connection with any purpose which this committee may have.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question or to invoke his constitutional privileges for the reason that he instigated this line of inquiry by protesting what he has characterized as witch hunts.

(The witness conferred with his counsel.)

Mr. MOULDER. Yes. The witness is directed to answer the question in order to test your good faith in claiming the reason which you stated for declining to answer the question.

Mr. CRILEY. May I ask that that question be reread by the clerk?

Mr. ARENS. I will give you the essence of the question. Have you taken a position in the recent past, characterizing the instant proceedings here before this committee now as witch hunts?

(The witness conferred with his counsel.)

Mr. CRILEY. I am going to decline to answer that question, first of all, on the grounds that I believe that this question, in particular, is a direct violation of my rights under the first amendment to freedom of speech; secondly, that this committee lacks a valid mandate; thirdly, for a reason that the subpoena and the calling of me is not pertinent to the purposes of this investigation, as I will show that this question itself has no pertinency or relevancy to a subject of legislation before this committee. And I would like to explain to the committee why my being called here is precisely a violation of what Mr. Justice Warren in the Watkins decision said may not be done.

Mr. MOULDER. Proceed with the next question. Now wait—

Mr. CRILEY. Mr. Warren—

Mr. ARENS. Mr. Criley, I display to you—

Mr. CRILEY. May I say for the record—

Mr. ARENS. Mr. Criley, you have invoked your reasons here.

Mr. CRILEY. I have not. My reasons—

Mr. ARENS. I lay before you an original document which has been identified on this record as a document distributed by the Chicago Committee to Defend Democratic Rights, the executive secretary of which is listed on the document as Richard Criley. The document itself proclaims that these instant proceedings are witch hunts and questions the motives of the committee and attacks the committee.

Would you kindly look at this document and tell this committee now, while you are under oath, in view of your adamant position against witch hunts whether or not you are the Richard Criley whose name appears here as the executive secretary of the Chicago Committee to Defend Democratic Rights?

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. MOULDER. Let the record show that the committee counsel handed the document referred to, to the witness and the witness then, in turn, is examining the document.

Mr. CRILEY. May I call to the attention of the committee that on two occasions I have attempted to state my legal reasons for declining to answer previous questions and that in both instances I have been stopped from presenting my legal reasons for not answering the questions. And I want to make sure that this is a matter of the record of this committee hearing.

Mr. ARENS. Would you kindly answer the question? Are you the Richard Criley who is listed here on this document as executive secretary of the Chicago Committee to Defend Democratic Rights?

(The witness conferred with his counsel.)

Mr. CRILEY. I should like to read this letter around which apparently a number of questions—

Mr. ARENS. Would you kindly answer the question?

Mr. Chairman, I respectfully suggest the witness be admonished to answer the question. It is clear that the question is a pertinent question, is a proper question, is within the scope of inquiry of this committee, and the witness has yet to give us a direct answer.

Mr. CRILEY. I have not yet been given the opportunity to cite my legal rights for refusing to answer and these are very relevant to this document, Exhibit 1, which I asked for previously.

Now, may I state my legal reasons for not answering the question just asked me by counsel and be permitted to give my legal reasons for so doing?

Mr. MOULDER. Yes, you have that right. But let us not be dilatory or proceed to harass the committee and try to prevent a situation of vexatious delay of our proceedings. You can decline to answer by giving valid reasons for not answering.

Mr. CRILEY. Mr. Moulder, I am not a lawyer. I came here by your invitation, not mine. I am stating to the very level best of my ability what I believe are valid, legal reasons for not answering this committee.

Now if I may be permitted to proceed, I want to read this letter because it is of cardinal importance to me that this be into the court record, because my statement hinges upon the contents of this letter.

Mr. MOULDER. Wait just a minute. If you answer the question, identify the document, then read the letter. Is that your signature? Are you the person referred to on the document? If you so identify it, read it.

(The witness conferred with his counsel.)

Mr. CRILEY. I will identify the signature on this document as my signature.

Mr. MOULDER. All right. Then read the document.

Mr. ARENS. Are you the executive secretary—

Mr. CRILEY. I was instructed by the chairman, Mr. Arens, that I may read the document.

Mr. MOULDER. Let him read the document after he identified it. He said he signed it. I think that is fair enough.

Mr. CRILEY. The head of this document reads: "Chicago Committee To Defend Democratic Rights. Legislative Bulletin."

Headline: "House Un-American Activities Committee, Chicago Hearing, Set for May 5-6."

The Un-Americans are at it again! Two groups of Chicago unionists have been subpoenaed to appear before it on May 5 and 6. They include members and former members of the United Packinghouse Workers of America and of Local #113 (Tool and Die) of the International Association of Machinists. Additional unionists may still be called at a later date.

It is clear that the House Un-American Activities Committee hearing is a direct intervention into the internal affairs of labor.

The House Committee (whose general mandate to function was questioned by the U.S. Supreme Court) has no specific authorization from Congress to conduct such a hearing as that scheduled here. It is evident, also, that there can be no legitimate legislative purpose for this hearing. On both counts, the entire hearing is patently illegal, on the basis of the Supreme Court decision in the Watkins case which stated that the Committee has no right to expose "for sake of exposure."

Chairman Walter's public statement that the hearing is for the purpose of "investigating subversive infiltration" into defense industries is camouflage for a flagrant attack on unions and the constitutional rights of American workers. It will be recalled that the last "labor investigation" of the Committee in this

area was in 1952 when it was timed to disrupt the strike of International Harvester workers and the negotiations for a new contract in the meat packing industry.

The House Committee has just completed a witch-hunt against labor in the Pittsburgh area. In February in Los Angeles under guise of investigating "legal subversion," it unfolded an attack on defense attorneys in civil liberties cases, and on the constitutional right to be represented by counsel. In Atlanta, Georgia, last year, the Committee was denounced by over 200 prominent Negro leaders in the South for "trying to attach the 'subversive' label to any liberal white Southerner who dares to raise his voice in support of our democratic ideals."

The recent actions of the House Un-American Activities Committee are the most potent argument for its abolition, and the cutting off of all further appropriations. (For 1959, it has already been voted \$327,000 by the House of Representatives.)

RECOMMENDATIONS FOR ACTION

1. Write your Congressman to support the bill introduced by Representative James Roosevelt to abolish the House Un-American Activities Committee.
2. See and judge for yourself by attending the hearings on May 5 and 6 at the Federal Building (Old Post Office), Clark and Adams Sts.

Sincerely yours,
Leon Katzen, Chairman
Richard Criley, Executive Secretary

Mr. ARENS. He has not completed yet.

Mr. CRILEY. There is a note on the bottom "PS: We depend on your contributions." I think that was relevant to the point I wanted to make.

(Document previously marked "Nelson Exhibit No. 1" also appears on p. 521.)

Mr. MOULDER. Just one moment. Speaking for myself and the members of the committee, we want to make the record clear here and now that our committee is not endeavoring to investigate or meddle in union organizations as such.

I have, for my record in Congress, almost a 100 percent voting record for organized labor, and I am enthusiastic and strong for organized labor and its objectives and its rights. But we are interested in finding out how the Communists are trying to dominate and destroy organized labor wherever they may be attempting to do so. That is one of the purposes, one of the objectives of our hearings here in Chicago.

Mr. CRILEY. May I continue my legal reasons for refusal to answer? You are finished, Mr. Chairman, yes?

Mr. MOULDER. Proceed.

Mr. CRILEY. I would like to submit in evidence four slips. They are statements of mailing matter for permit mail from the Chicago post office. First one is dated April 14, 1959, and records that 3,100 pieces of mail were mailed on that date. The second one, dated April 15, records 1,500 pieces of mail were mailed on that date. The third is dated April 16 and records that 1,115 pieces were mailed on that date. The fourth is April 17 and records that 1,800 pieces of mail were mailed on that date. I would like to submit this as an exhibit before the committee, if I may.

Now, the relevance of this is precisely the following: I was served with a subpoena.

Mr. MOULDER. What is the question pending?

Mr. CRILEY. I am giving legal reason for not answering.

Mr. ARENS. The pending question is whether he is the executive secretary of the Chicago Committee To Defend Democratic Rights.

I was under the impression he said a few minutes ago this was his signature as executive secretary. So he has answered the question.

Mr. MOULDER. Proceed with the next question.

Mr. ARENS. Do you know Mr. Leon Katzen, chairman of the group of which you are executive secretary?

Mr. CRILEY. May I again call to the attention of the chairman that I was still attempting to cite the legal reasons for refusal to answer from the very first question in this hearing that I did not answer, and—

Mr. MOULDER. What question was that?

Mr. CRILEY. The first question I did not answer was my occupation. I was never given an opportunity to give my legal reasons of refusing to answer that question. This was what I was attempting to do when Mr. Arens interrupted me.

Mr. MOULDER. You spent 10 minutes on that and were getting ready to read at great length a Supreme Court decision which is out of order in these proceedings or hearings.

Mr. CRILEY. Mr. Chairman—

Mr. ARENS. Mr. Criley, did you prepare this document which you have just read?

Mr. CRILEY. May I state it takes me 15 minutes to state my legal ground. I am possibly putting at stake a year of my life and I believe I must be entitled to fully state my legal grounds why I am refusing. May I continue where I left off?

Mr. ARENS. You satisfied the committee on your answer. We are thoroughly satisfied.

Mr. CRILEY. I am not satisfied in my answer because in the record I have not yet stated my legal reasons for not answering the first two questions which I did not answer.

Mr. MOULDER. We are not going to permit you to make a big, long speech before this committee.

Mr. ARENS. Did you prepare the document, from which you just read, of the Chicago Committee to Defend Democratic Rights?

(The witness conferred with his counsel.)

Mr. CRILEY. To save some time, I have not been directed to answer that question, so I am not answering.

Mr. MOULDER. All right. You are now hereby directed to answer the question.

Mr. CRILEY. I am not going to answer that question and I would like to continue my discussion to give my legal reasons as to why I am not answering. I pointed out that these slips, with the dates running from April 14 to 17, represent the mailing of approximately 8,000 copies of this leaflet to which my signature is affixed. I was served on April 30 with a subpoena dated April 24. This subpoena is at least 4 weeks after all of the other subpoenas were served. Only two subpoenas were served, to the best of my knowledge, or were issued after the end of the month of March.

Mr. ARENS. Now, Mr. Criley—

Mr. CRILEY. I am not—

Mr. MOULDER. That isn't responsive to the question as a reason for refusing to answer at all.

Mr. CRILEY. I wish to say and these are grounds that are very clearly borne out in the Watkins decision, Mr. Chairman, because I

wish to explain why I am contending that my subpoena is a complete afterthought to the purpose of this committee, which was announced as being an investigation in certain industrial areas. I have no connection with such areas and have not had any experience as an active unionist for a period of over 12 years, and I wish to point out—

Mr. MOULDER. You are being argumentative, that is all.

Proceed, Mr. Arens.

Mr. ARENS. I suggest now I make a brief statement as to pertinence so there will be no question on this record as to the pertinency of these questions.

Mr. Criley, as announced by the chairman of this committee, this committee is in Chicago for the purpose of developing factual material on current Communist techniques and activities, including, but not limited to, the Communist penetration of the meatpacking industry. A man this morning took an oath, laid his liberty on the line, and said that while he was a member of the Communist conspiratorial apparatus, he knew you, sir, as a member of the Communist Party. We have information, sir, that you are now, and have been in the recent past, a hard-core member of the Communist conspiracy, doing work of that conspiracy designed to overthrow the Constitution which you have been invoking here today; that you have been part of this deadly apparatus, which is designed to destroy liberty and freedom on this continent.

Therefore, sir, with that information in the possession of this committee, the committee directed that a subpoena be served upon you so that you could be interrogated. We hoped that certain information could be developed on this record—by direction, and if not by direction, by indirection—so that this committee could take this information back to Washington, D.C., together with other information it is collecting in other parts of the United States respecting this conspiratorial operation, so that it might legislate to protect this country against the Communist conspiracy of which we understand you are now, this instant, an integral part.

Now, sir, would you kindly answer this question? Are you now, this moment, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. CRILEY. I would again like to point out for the committee record that I have not yet been given an opportunity to summarize the legal reasons why I have refused to answer certain questions, and I believe that these are my rights before the committee. I am being cut off. My train of thought is being interrupted. I have almost no idea as to what legal rights I have been able to state before the committee at the present time. And I would like to ask leave of this committee to finish my statement, which will not be a lengthy one, but which I believe is absolutely essential and is my right as an American citizen to so state before this committee.

Mr. MOULDER. You have heard the question propounded by counsel. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. ARENS. The question is, Are you now, this minute, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Chairman, I am going to refuse to answer that question for the legal reasons that the question is a violation of my right under the first amendment; for the reason that the mandate of this committee is not a legal one; for the reason that my subpoena is not a valid one, that I was called before this committee in almost the identical fashion cited by the Supreme Court which said: "Investigations conducted solely for the personal aggrandizement of the investigators or to punish those investigated are indefensible."

I have attempted to show that my subpoena, together with that of one other person who was on the stand here, is a complete exception to all other subpoenas that were issued; that the subpoena was for the expressed purpose of punishing someone who issued a statement critical of this committee; that, therefore, the committee does not have the legal right to ask me these questions, since the purpose of the committee is not that of legislation as outlined by the Constitution, but one of harassing and attempting to punish a critic of this committee.

I wish to also state here that all of these things I have cited flow from the due process clause of the fifth amendment.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

(The witness conferred with his counsel.)

Mr. ARENS. Would you kindly answer the question? Sir, do you know a man by the name of Carl Nelson?

Mr. CRILEY. May I consult with counsel?

Mr. MOULDER. Yes.

Mr. CRILEY. Mr. Chairman, am I instructed to answer that question?

Mr. MOULDER. You are directed to answer the question.

Mr. CRILEY. I am going to refuse to answer that question on the grounds that the question is entirely irrelevant, and I believe the word is "is not pertinent" to the legislative purposes of this committee; for the reasons also that it is a violation of my rights under the first amendment; for the additional reason that the committee's mandate to function is not a legal one; for the additional reason that the subpoenaing of me was both not done in a legal manner and was not done to further a legitimate, legislative purpose by this committee; for the reason that I think I stated, that the question is not germane or pertinent to legislation; for the additional reason that the committee is not a legal committee, because functioning with the committee, for instance, is a Mr. Willis who, under the fourteenth and thirteenth amendment, is not constitutionally elected to office in view of the well known denial of the rights to vote by the Negro citizens of his State. For those reasons I am going to refuse to answer the question.

Mr. WILLIS. Let me say, Mr. Chairman, I am not replying to the witness. I am not asking him a question. I do not want to engage in a discussion with him. But in my district, the people I am sent to Washington to represent, the eight parishes that I represent, everyone who is entitled to vote, does vote, under identical and similar circumstances.

Mr. ARENS. This morning Mr. Carl Nelson took an oath before this committee and stated that he served in the Communist Party for a number of years; that the Communist Party is now a greater menace than ever before; that it consists of trained, hard-core agents of a foreign power on American soil. While he was under oath, subjecting himself to prosecution for perjury if he stated a falsehood,

he stated that he knew you, to a certainty, as a member of the Communist Party.

We would like to afford you now an opportunity to deny that identification, if you please, sir.

Mr. CRILEY. I believe—

Mr. ARENS. Do you care to avail yourself of that opportunity?

Mr. CRILEY. I believe Mr. Nelson's statement was that he left the Communist Party some 15 years or more ago. And I would like to state that it seems to me that any such testimony is so remote as to be completely irrelevant to any present purposes of legislation before Congress at the present time.

Mr. MOULDER. I don't believe that is correct. I believe you have misunderstood his testimony.

Mr. ARENS. Mr. Criley, do you know a man by the name of Louis Rosser?

(The witness conferred with his counsel.)

Mr. CRILEY. Am I directed to answer that question?

Mr. MOULDER. Yes, you are directed to answer that question.

Mr. CRILEY. I shall refuse to answer the question because the question is totally remote, has no pertinence whatsoever to any legislative purpose that this committee may have; for the reason that the committee itself in subpoenaing me has no relationship between my testimony and the testimony of other witnesses who seemingly have some relationship to what was stated to have been the purpose of these committee hearings. For the reason of my rights of freedom of speech, freedom of assembly, freedom of press, and freedom to petition the Government for redress of grievances under the first amendment; and for all other reasons which I have stated, and, by the way, all of these as they relate to the due process clause of the fifth amendment, I am refusing to answer that question.

Mr. MOULDER. Mr. Arens, may I interrupt at this point to ask the witness this question: Do you have any knowledge or information concerning the activities of any person which you deem to be subversive or which endangers our internal security in the United States?

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Chairman, in my opinion there are some people who are seriously endangering the security of the United States. At the moment I would place at Number 1 certain of the generals and other people who are conducting a diplomacy backed by the threat to destroy the entire world with atomic weapons. I would also state that the democratic and constitutional Government of the United States today faces a very serious threat, flowing as it does from certain groups and includes highly influential persons who are attempting to undertake a campaign of pressure of legislative action and other things to, so to speak, curb and get the powers of the United States Supreme Court, which have been exercised as perhaps the most important single guarantee that the Bill of Rights written into the United States Constitution shall remain as our guiding light in democratic government.

Mr. MOULDER. All right. Do you have any information concerning the activities of any Communist Party members whose actions and activities endanger, or might endanger, the internal security of the United States?

(The witness conferred with his counsel.)

Mr. MOULDER. And I might add our American way of life and our constitutional form of government.

Mr. CRILEY. Mr. Chairman, I know of no such people endangering the American way of life.

Mr. MOULDER. You don't know of any Communists?

Mr. CRILEY. You are asking—and let me make sure I understand the question—if I know any Communists who in my opinion are endangering the American way of life and subverting the American democratic system, shall we say? My answer is no.

Mr. MOULDER. That you do not know.

Mr. CRILEY. I do not know any such people who are endangering the American way of life or subverting the American democratic process.

Mr. MOULDER. That is, any such people who are members of the Communist Party. That was my question.

Mr. CRILEY. That is correct. Of course you are consulting me in terms of what my opinion is.

Mr. MOULDER. Yes.

Mr. CRILEY. And this is my honest opinion, Mr. Chairman.

Mr. MOULDER. I am asking if you have any information which you might give us of Communist Party members' activities which would endanger our American way of life, our internal security, or whose activities would be subversive. You say you do not know?

Mr. CRILEY. No, I do not.

Mr. MOULDER. All right. Now, then, do you know any Communist Party members who are active in any way in the upholding of the American way of life or our democracy or our Bill of Rights that you have referred to?

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Chairman, if I knew of such cases where there were Communists' activity in upholding, let us say, the Bill of Rights and the American way of life, clearly such activities are legal and are legally protected by the Bill of Rights, and therefore I cannot see that the question bears any relevance to the legislative purpose of this committee.

Mr. MOULDER. Then the last question is, Do you know of any Communists, active Communist Party members in the Chicago area?

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Chairman, I believe again that this question moves into an area which invades the guarantees of the first amendment, guaranteeing freedom of assembly, freedom of speech, freedom of press, and the right to petition for—the microphone is off.

Mr. MOULDER. Do you have any information concerning the objectives of Communist Party activities and infiltration of Communist Party propaganda in labor unions within the area of Chicago?

Mr. CRILEY. I didn't finish.

Mr. MOULDER. I am asking do you have any such information, do you know about it?

Mr. CRILEY. The microphone is dead, Mr. Chairman, and in the course of it, I am afraid I missed the key part of your question, but I would like to state for the record that I did not complete my previous answer and this disturbed me a bit so that I didn't follow the second question that you asked me.

Mr. MOULDER. The second question?

Mr. CRILEY. The question you just asked me, sir.

Mr. MOULDER. The second question I just asked you—now, you understand these questions and you know what we are asking—was whether you have any information concerning Communist infiltration and Communist Party activities in any labor union within the Chicago area. What we are trying to find out particularly at this hearing is the activities and the work of the Communist Party to infiltrate and dominate and destroy organized labor in the Chicago area. Now, do you have any such information?

(The witness conferred with his counsel.)

Mr. CRILEY. I am sorry, sir. It seems to me that there were several different questions involved in one.

Mr. MOULDER. Just a very simple question. Do you have any knowledge or information concerning Communist Party activities in their efforts to infiltrate and dominate a labor union, any labor union, in the Chicago area?

(The witness conferred with his counsel.)

Mr. MOULDER. That requires just a simple yes or no answer.

Mr. CRILEY. Shall I proceed without the microphone?

Mr. MOULDER. You do know or don't know.

Mr. CRILEY. Should I proceed without the microphone? It is off.

Mr. Chairman, the question may be clear and yet there is involved a question of what we might call semantics, because the word infiltrate, like the word American or un-American, is subject to a multitude of interpretations.

Mr. MOULDER. All right. Let us make it simple, then. Leave out infiltration. I think you understand what I mean. Then I will ask you if you have any knowledge or information whatsoever concerning Communist Party leaders, Communists, in other words, any information concerning their efforts to dominate and control the functions of any labor union in the Chicago area.

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Chairman, I am bothered by this thing.

Mr. MOULDER. We can hear you clear enough. The reporter can hear you. First, it just calls for a very simple answer, yes or no, and then we will proceed from there.

Mr. CRILEY. Mr. Chairman, it isn't so simple because I cannot in conscience answer that question because, in my opinion, it is a vague question, a question that does not have a clear, legitimate purpose.

Mr. MOULDER. Let's proceed, Mr. Arens, with the next question.

Mr. ARENS. Mr. Criley, have you been an author in the course of your career?

(The witness conferred with his counsel.)

(Representative Moulder left the hearing room.)

Mr. ARENS. Would you kindly answer the question?

(The witness conferred with his counsel.)

Mr. WILLIS (presiding). What is the pending question?

Mr. CRILEY. I believe the question was asked of you, Mr. Arens. What is the pending question?

Mr. ARENS. The pending question is, Have you ever been an author in the course of your career?

(The witness conferred with his counsel.)

Mr. CRILEY. Will the record show, by the way, that Mr. Moulder has left and that the Chair has been taken by Mr. Willis and that one of the members of the subcommittee is absent?

Mr. JOHANSEN. Mr. Chairman, I suggest that the Chair direct the witness to answer the question and that the instructions to the reporter be given by the Chair.

Mr. WILLIS. I must order you to answer the question.

Mr. CRILEY. I must refuse, sir, to answer that question, first of all, because I cannot see any conceivable relationship between whether or not I have been an author.

Mr. ARENS. Let us hesitate. I will display to you an exhibit.

Mr. CRILEY. And the legislative purpose of this committee. I also wish to cite a fact that this is, I think, a clear-cut invasion of my right under the first amendment to freedom of the press, in other words, to write and publish as I so choose. I cannot see how this can, by any stretch of the imagination, be made a proper subject matter for a question to guide the committee for the purposes of making or seeing about the execution of laws.

Mr. WILLIS. You properly invoked your right.

Mr. CRILEY. I would also—

Mr. ARENS. Now, Mr. Criley, you have been identified by a live witness under oath before this committee as a member of the Communist Party. I have in my hand now a document "Inform or Else." The document says, "This pamphlet was written for the James Keller Defense Committee by Richard L. Criley."

For the purpose of ascertaining what your activities may have been in the dissemination and preparation of Communist propaganda, so that this committee can adequately appraise the administration and operation of the Internal Security Act of 1950, which undertakes to cope with Communists and Communist propaganda, I now lay before you this document and ask you whether or not you are the Richard L. Criley who prepared the document entitled "Inform or Else."

(Document handed the witness.)

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Arens, may I have a glass of water? If the microphone is not working it is a little harder on my voice.

Mr. ARENS. Yes, sir; you surely may.

Mr. CRILEY. And counsel would like a glass of water, too.

Mr. ARENS. Now, would you kindly answer the question?

Mr. CRILEY. Mr. Chairman, this pamphlet that has been brought to my attention signed by Richard L. Criley, deals with the supervisory parole phase of the Walter-McCarran law. The pamphlet was highly critical of this law, which by coincidence is a piece of legislation very dear to the chairman of this committee, Mr. Francis Walter. And I point to the very question as illustrating the validity of my refusal to answer previous questions, in that the entire calling of me on this witness stand becomes more and more clearly an act of harassment, because I have been a critic of this committee, of the Walter-McCarran law, and other things which Mr. Francis Walter does not agree with me.

I am, therefore, going to be compelled to refuse to answer the question on the grounds that the questions are being not asked for a legislative purpose at all, but are clearly intended as a harassment and

punishment of a critic of this committee and of Mr. Walter, and for all of the other reasons which I have cited before which I will gladly repeat if there is any question of the court record.

Mr. ARENS. Mr. Chairman, I insist that the record be clear on one point.

Are you, in response to the question which is last outstanding respecting your authorship of this pamphlet, invoking that part of the fifth amendment to the Constitution of the United States which gives you the privilege of declining to give testimony which might be used to incriminate yourself?

Mr. CRILEY. Mr. Arens, I think I stated quite clearly before—but I shall gladly repeat it again—that I am invoking the due process clause of the fifth amendment as it relates to the several different grounds that I have given before for refusal to answer, all of which are based upon the Watkins decision of the United States Supreme Court.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest, so that this record may be abundantly clear, that the witness not having invoked that part of the Constitution which gives him the privilege not to give testimony which can be used against himself in a criminal proceeding now be ordered to answer the question.

Mr. WILLIS. I order you to answer the question, and I will tell you why. I disagree with the constitutional grounds that you referred to. I do not want to debate on it. I am bound as chairman under court decisions to indicate our disagreement. Now, you have not, as counsel pointed out, invoked the provisions of the fifth amendment with regard to giving testimony that might tend to incriminate you. As I understand it, you have not invoked that, is that correct?

Mr. CRILEY. Mr. Willis, you are correct; and as a leader of the Civil Liberties organization, I also want to make it clear that it is not the purpose of debate with the views on constitutionality of the committee, but rather my desire to try to make the record clear as to what constitutional grounds upon which I am standing in my refusal to answer these questions. I would therefore like to have your permission to, as briefly and concisely as possible, state them again. Because of the many interruptions before, I am not sure how clearly I outlined them and, not being a lawyer, do not know if I cited all the grounds.

Mr. WILLIS. You stated them so clearly that both counsel and I got the point.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the document which I have displayed to this witness, entitled "Inform or Else," in which it says, "This pamphlet was written for the James Keller Defense Committee by Richard L. Criley," be appropriately marked and be incorporated by reference in this record so that this committee, when it returns to Washington with this fund of information, will be able to pursue its legislative objectives in undertaking to appraise the administration and operation of the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, and other legislation on the books dealing specifically with Communist propaganda.

Mr. WILLIS. The document will be so marked.

(Document marked "Criley Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

We will take a 5-minute recess.

(Subcommittee members present, Representatives Willis and Johansen.)

Mr. MOULDER. Call your next witness, Mr. Arens.

Mr. ARENS. Leslie Orear, please come forward and remain standing while the chairman administers the oath.

(Mr. Johansen entered the hearing room.)

(Subcommittee members present: Representatives Moulder, Willis, and Johansen.)

Mr. MOULDER. Do you solemnly swear the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OREAR. I do, Mr. Congressman.

Mr. MOULDER. Be seated.

Les O *H.C.U.A. 5/5/59*
TESTIMONY OF LESLIE OREAR, ACCOMPANIED BY COUNSEL,
BELFORD V. LAWSON, JR.

b. 5/11/11 Marshall
Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Wick
Mr. OREAR. My name is Leslie Orear. I live at 10931 Hermosa Avenue, Chicago, Ill. I am an employee of the United Packinghouse Workers of America in the capacity of director of its department of publications.

Mr. ARENS. Mr. Orear, you are appearing today in response to a subpoena which was served upon you by this committee?

Mr. OREAR. I am.

Mr. ARENS. And you are represented by counsel?

Mr. OREAR. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. I am Belford Lawson, Washington, D.C.

Mr. ARENS. Mr. Orear, how long have you maintained your present position?

Mr. OREAR. Precisely since January 1957.

Mr. ARENS. And what are your duties?

Mr. OREAR. I am the editor of the national publication of this union.

Mr. ARENS. And the name of it, please, sir?

Mr. OREAR. Is The Packinghouse Worker.

Mr. ARENS. And what was your occupation immediately prior to your present occupation?

Mr. OREAR. What would "immediately prior" be—you mean just before I assumed that title?

Mr. ARENS. Just before you assumed this job in 1957 as director of publications of United Packinghouse Workers.

Mr. OREAR. I was acting in the capacity of editor of The Packinghouse Worker.

Mr. ARENS. Over what period of time did you hold that position?

Mr. OREAR. Since approximately October 1953.

Mr. ARENS. And what was your position prior to that?

Mr. OREAR. I was an international representative of the union.

Mr. ARENS. And for what period of time did you serve in that capacity?

Mr. OREAR. If we may use the thing loosely I have been a representative of the union since October 1938. We will come to the point.

Mr. ARENS. Give us, if you please, sir, just a word about your personal life. When and where were you born?

Mr. OREAR. I was born May 11, 1911 in Marshall, Missouri.

Mr. ARENS. And give us a word about your education.

Mr. OREAR. I have been educated in the city of Chicago, and for 2 years at the University of Wisconsin.

Mr. ARENS. When did you complete your formal education?

Mr. OREAR. This would be 1931.

Mr. ARENS. And what occupation were you engaged in between 1931 and 1938 when you became an international representative of the UPWA?

Mr. OREAR. I was an employee of Armour Co.

Mr. ARENS. In what capacity, please?

Mr. OREAR. A laborer.

Mr. ARENS. Where?

Mr. OREAR. Chicago, Ill.

Mr. ARENS. Mr. Orear, are you now, or have you ever been, a member of the Communist Party?

Mr. OREAR. I must decline to answer that question on the grounds that to answer it may tend to incriminate me.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. OREAR. I am not, sir.

Mr. ARENS. Have you been a member of the Communist Party any time in the course of the last 5 years?

Mr. OREAR. I must—oh, last 5 years, what date would that be?

Mr. ARENS. Five years ago, 1954.

Mr. OREAR. The answer—

(The witness conferred with his counsel.)

Mr. OREAR. No, I have not been a member of the Communist Party since 1954.

Mr. ARENS. Yes.

Mr. OREAR. No indeed.

Mr. ARENS. Did you resign technical membership in the Communist Party?

Mr. OREAR. I decline to answer this question on the grounds to do so may tend to incriminate me.

Mr. ARENS. Have you ever signed a non-Communist affidavit?

Mr. OREAR. No, sir; I have not.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

Mr. OREAR. Yes, I do know Carl Nelson.

Mr. ARENS. Carl Nelson testified this morning that while he was a member of the Communist Party he knew you as a member of the Communist Party. Was he in error or was he telling the truth?

Mr. OREAR. I decline to answer this question on the grounds it may tend to incriminate me.

Mr. ARENS. Were you a member of the Communist Party 6 years ago?

Mr. OREAR. The precise date, 1953?

Mr. ARENS. Yes, sir.

Mr. OREAR. I was not a member of the Communist Party.

Mr. ARENS. Were you a member of the Communist Party in 1952?

Mr. OREAR. No, sir; I was not.

Mr. ARENS. Were you a member of the Communist Party?

Mr. OREAR. Check. If you specify what period of time you are speaking of.

Mr. ARENS. In 1952, during any time, were you a member of the Communist Party?

Mr. OREAR. At this point I will assert the fifth amendment.

Mr. ARENS. Have you broken with the Communist Party?

Mr. OREAR. I decline to answer the question, sir, on the grounds that it may tend to incriminate me. Not being very clear what the question is.

Mr. ARENS. Are you now against the Communist Party?

Mr. OREAR. Yes, I have a strong antipathy to the Communist Party.

Mr. ARENS. Do you know persons presently in the Chicago area who, to your certain knowledge, in 1952 were members of the Communist Party?

Mr. OREAR. I may ask you to rephrase the question; restate the question.

Mr. ARENS. Do you now know the names of persons who live and operate in the Chicago area who, to your certain knowledge, were members of the Communist Party in 1952?

Mr. OREAR. I decline to answer the question on the grounds that to do so may tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. MOULDER. Any questions, Mr. Willis?

Mr. WILLIS. No questions.

Mr. JOHANSEN. No questions.

Mr. MOULDER. We thank the witness and the counsel for the appearance before the committee, and I commend you for your straightforward conduct and response to the questions that were propounded to you.

Mr. OREAR. Thank you, Mr. Chairman.

Mr. MOULDER. Next witness.

Mr. ARENS. Next witness, if you please, Mr. Chairman, will be Mr. Leon Beverly.

Will you remain standing while the chairman administers an oath.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BEVERLY. I do.

Mr. MOULDER. Be seated.

H.C.U.A. 5/5/59

**TESTIMONY OF LEON BEVERLY, ACCOMPANIED BY COUNSEL,
BELFORD V. LAWSON, JR.**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. BEVERLY. Leon Beverly, 1807 South Harding. I am now field representative for United Packinghouse Workers. *Chicago, Ill.*

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. BEVERLY. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. BEVERLY. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford V. Lawson, Washington, D.C.

Mr. MOULDER. I didn't understand the witness' name.

Mr. BEVERLY. Leon Beverly.

Mr. MOULDER. How do you spell that?

Mr. BEVERLY. L-e-o-n B-e-v-e-r-l-y.

Mr. ARENS. Mr. Beverly, how long have you maintained your present job?

Mr. BEVERLY. August.

Mr. ARENS. In what capacity again?

Mr. BEVERLY. Field representative.

Mr. ARENS. Where are you located?

Mr. BEVERLY. 4859 South Wabash.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. BEVERLY. Full time president of Local 347.

Mr. ARENS. 347 of what?

Mr. BEVERLY. United Packinghouse Workers.

Mr. ARENS. Over what period of time did you have that job?

Mr. BEVERLY. From 1951 up to January of this year.

Mr. ARENS. What was your employment immediately prior to that?

Mr. BEVERLY. Armour Co.

Mr. ARENS. Over what period of time were you employed at Armour & Co.?

Mr. BEVERLY. 1937. I am still on leave from Armour Co.

Mr. ARENS. In what capacity were you employed there?

Mr. BEVERLY. Laborer.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. BEVERLY. I decline to answer that question.

Mr. ARENS. Why?

Mr. BEVERLY. Based on my previous understanding of the fifth amendment.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully whether or not you have ever been a member of the Communist Party, you would be supplying information that might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. BEVERLY. Yes, sir.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. BEVERLY. No.

Mr. ARENS. Have you resigned technical membership in the Communist Party so that you could deny membership in the Communist Party, yet maintain yourself in the Communist operation?

Mr. BEVERLY. I decline to answer that question based on my rights under the fifth amendment.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

Mr. BEVERLY. Sure.

Mr. ARENS. Carl Nelson took an oath this morning and said that while he was a member of the Communist Party he knew you as a

member of the Communist Party. Was he in error or was he telling the truth?

Mr. BEVERLY. I decline to answer that question based on my rights under the fifth amendment.

Mr. ARENS. Do you presently have information of persons who, in the recent past, have been members of the Communist Party active in the Chicago area?

Mr. BEVERLY. I don't understand your question.

Mr. ARENS. Do you have information now, are you presently possessed of information respecting persons who are, or in recent past have been, members of the Communist Party in the Chicago area?

(The witness conferred with his counsel.)

Mr. BEVERLY. I have no knowledge. I have no knowledge, sir, to my recollection.

Mr. ARENS. Do you know persons who have been members of the Communist Party in the Chicago area?

Mr. BEVERLY. I refuse to answer that question based on my rights under the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. Just a moment, please. Mr. Willis, any questions?

Mr. WILLIS. No.

Mr. JOHANSEN. No questions.

Mr. MOULDER. I also want to commend you and counsel in the manner in which you appear before this committee, not that I approve or disapprove of your responses to the questions, but you certainly have made no effort to delay the proceedings by dilatory speeches and statements.

I also want to say this: That during more than 10 years I have served as a member of this committee—and I am sure the other members will concur with me—in spite of the greatest concentrated effort on the part of the Communist Party leadership on the Negro race, they have had, I would say, a minimum success, if any, and as far as our proceedings in hearings have revealed, have had no success whatsoever in influencing your great race of people.

Mr. LAWSON. Thank you very much.

Mr. ARENS. Next witness, if you please, Mr. Chairman, will be Mr. Samuel J. Parks, Jr.

Kindly come forward and remain standing while the chairman administers an oath to you.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PARKS. I do.

H. C. U. A. 5/5/59

TESTIMONY OF SAMUEL J. PARKS, JR., ACCOMPANIED BY COUNSEL,

Samuel J. Parks BELFORD V. LAWSON, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. PARKS. Before you ask any questions there is one question I want to know. I received this subpoena. Here it is. Also I am losing money by being here.

614 East 62nd St.
Chicago, Ill.

Mr. MOULDER. I am glad you bring that point up.

Mr. PARKS. Let me finish. I got my car over in the garage. Been there since 10 o'clock, and they do not charge lightly over there for it. You know I just can't afford financial support for sitting here losing money and then got to pay out money, you know, to be here.

Mr. ARENS. Would you kindly answer the question?

Mr. PARKS. No, I would like to know am I going to be remunerated for being here. That is my question.

Mr. ARENS. Would you please answer the question?

Mr. MOULDER. Wait a minute. We should have announced at the end of the testimony of each and every witness who has appeared before the committee that they can claim witness fees and should sign the vouchers for their attendance and the witness fees, as provided by law, after the completion of their testimony.

Mr. PARKS. Thank you.

Mr. MOULDER. I don't know who on the staff is attending to that.

Mr. PARKS. I will be around to see the gentlemen when I get through.

Mr. MOULDER. Yes, that is right.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. PARKS. My name is Samuel J. Parks, Jr., 614 East 62d Street. I am the operator of a service station.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. PARKS. I didn't get what you said.

Mr. ARENS. You are appearing today in response to a subpoena?

Mr. PARKS. This subpoena, yes.

Mr. ARENS. You are represented by counsel?

Mr. PARKS. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. ARENS. How long have you been engaged at the gas station?

Mr. PARKS. April 1957.

Mr. ARENS. What was your employment immediately prior to that?

Mr. PARKS. Director of the Anti-Discrimination Department, UPW, AFL-CIO, District 1.

Mr. ARENS. How long did you occupy that position?

Mr. PARKS. For around 3 years.

Mr. ARENS. What was your occupation immediately prior to that occupation?

Mr. PARKS. Secretary-treasurer of District No. 1.

Mr. ARENS. Of what?

Mr. PARKS. UPW, AFL-CIO.

Mr. ARENS. How long did you occupy that position?

Mr. PARKS. Around 4 years.

Mr. MOULDER. How long?

Mr. PARKS. Around 4 or 5 years. It has been so long ago. I don't know approximately.

Mr. ARENS. Have you ever been a candidate for public office?

Mr. PARKS. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. ARENS. I lay before you now a thermofax reproduction of a leaflet or flyer, "Sam Parks for Congress," and ask you whether or not the facts recited there respecting your candidacy for Congress are true and correct.

(The witness conferred with his counsel.)

Mr. PARKS. What is your question relative to that again?

Mr. ARENS. Are the facts recited in this document which I have just displayed to you, this leaflet respecting the candidacy of Sam Parks for Congress; are those facts correct?

Mr. PARKS. I refuse to answer that question for the same reasons I have just stated.

(Document marked "Parks Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Were you a member of the Communist Party when you ran for Congress on the Progressive Party ticket?

Mr. PARKS. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. PARKS. I refuse to answer that question on the same basis.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. PARKS. I am not a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. PARKS. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. ARENS. Did you resign technical membership in the Communist Party so you could take an oath and deny current membership in the Communist Party and stay within the Communist Party operation?

Mr. PARKS. I refuse to answer the question on the grounds it may tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. Any questions, Mr. Willis?

Mr. WILLIS. No.

Mr. JOHANSEN. No.

Mr. MOULDER. Call your next witness, Mr. Arens.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Jack Souther. Will you please come forward?

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SOUTHER. I do.

H.C.U.A. 5/5/59

**TESTIMONY OF JACK SOUTHER, ACCOMPANIED BY COUNSEL,
BELFORD V. LAWSON, JR.**

Mr. ARENS. Please identify yourself by name, residence, and occupation?

Mr. SOUTHER. Jack Souther, 5214 South Springfield Avenue. I am secretary-treasurer of District 1, United Packinghouse Workers of America, AFL-CIO.

Chicago, Ill.

Europe

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you?

Mr. SOUTHER. I am.

Mr. ARENS. And you are represented by counsel?

Mr. SOUTHER. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford V. Lawson, Washington, D.C.

Mr. ARENS. Mr. Souther, how long have you maintained your present job with United Packinghouse Workers of America?

Mr. SOUTHER. Since 1952.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. SOUTHER. I refuse to answer that question. It might tend to incriminate me.

Mr. ARENS. Mr. Carl Nelson testified this morning that while he was a member of the Communist Party a number of people resigned technical membership in the Communist Party, but stayed within the Communist Party operation as Communists so that they could deny present technical membership in the Communist Party if they were ever confronted with the question on that score. Did you resign technical membership in the Communist Party but maintain yourself in the Communist Party operation?

Mr. SOUTHER. I refuse to answer that question.

Mr. ARENS. Mr. Nelson said he knew you as a member of the Communist Party. Was he in error on that identification, or was he telling the truth?

Mr. SOUTHER. I refuse to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully submit that will conclude the staff interrogation of this witness.

Mr. WILLIS. Mr. Counsel, you should divide your general question for this witness. I think, unless I misunderstand you, you said "Are you now, or have you ever been." Divide the question.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. SOUTHER. No.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. SOUTHER. I refuse to answer that question.

Mr. ARENS. Did you resign technical membership in the Communist Party but maintain yourself in the Communist operation?

Mr. SOUTHER. I refuse to answer that question.

Mr. ARENS. If you gave a truthful answer to that question would you be giving us information which might be used against you in a criminal proceeding?

Mr. SOUTHER. I refuse to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. I understand you decline to answer the last questions that have been propounded to you for the first reason previously stated, namely, that you claim the protection, your privilege under the Constitution in declining to answer, is that right, Mr. Lawson?

Mr. LAWSON. That is right.

Mr. SOUTHER. That is right.

Mr. MOULDER. All right.

Mr. SOUTHER. No; I did not refuse to denounce my membership now.

Mr. MOULDER. Yes; you answered that. You denied present membership in the Communist Party.

Mr. SOUTHER. I am not now a member.

Mr. MOULDER. Right. We understand.

Claim the witness fee by signing the voucher.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Gloria Wailes.

Please come forward.

Mr. MOULDER. Please raise your right hand and be sworn. Do you solemnly swear the testimony you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. WAILES. I do.

H. C. U. A. 5/5/59

TESTIMONY OF GLORIA WAILES, ACCOMPANIED BY COUNSEL,
BELFORD V. LAWSON, JR.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mrs. WAILES. I am Mrs. Gloria Wailes and I reside at 6922 South Prairie Avenue and I am a secretary. *Chicago, Ill.*

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mrs. WAILES. Yes; I am.

Mr. ARENS. And you are represented by counsel?

Mrs. WAILES. Yes; I am.

Mr. ARENS. Counsel, kindly identify yourself on this record?

Mr. LAWSON. Belford V. Lawson, Washington, D.C.

Mr. ARENS. Where are you employed, Mrs. Wailes?

Mrs. WAILES. I am employed as a secretary at the international office of the United Packinghouse Workers of America.

Mr. ARENS. How long have you been so employed?

Mrs. WAILES. Three and a half years.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mrs. WAILES. Secretary to Local No. 25 of the United Packinghouse Workers of America.

Mr. ARENS. Located in Chicago?

Mrs. WAILES. That is correct.

Mr. ARENS. Over what period of time were you so employed?

Mrs. WAILES. Five years.

Mr. ARENS. And what was your occupation prior to that?

Mrs. WAILES. I refuse to answer that question. It might tend to incriminate me.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mrs. WAILES. Would you clarify yourself?

Mr. ARENS. Yes. Are you now, or have you ever been, a member of the Communist Party?

Mrs. WAILES. I am not a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mrs. WAILES. I refuse to answer that question. It might tend to incriminate me.

Mr. ARENS. Did you resign technical membership in the Communist Party but maintain yourself in the Communist operation so that you could take an oath and deny current, present membership in a formal entity known as the Communist Party?

Mrs. WAILES. Would you please clarify yourself?

Mr. ARENS. Did you resign technical membership in the Communist Party but maintain yourself in the Communist operation?

Mrs. WAILES. I refuse to answer that question on the basis it might tend to incriminate me.

Mr. ARENS. Mr. Carl Nelson took an oath this morning and testified respecting the technique and strategy and tactics, in the recent past, being used by the Communist conspiracy whereby the comrades resign technical membership in a formal entity known as the Communist Party and maintain themselves in the Communist Party operation. He likewise testified that while he was a member of the formal entity known as the Communist Party he knew you as a member of the Communist Party.

Was he in error in that identification, or was he telling the truth?

Mrs. WAILES. What is your specific question?

Mr. ARENS. Was he in error when he identified you as a person who was known to him to be a member of the Communist Party?

(The witness conferred with counsel.)

Mrs. WAILES. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. Do you presently have information respecting persons who, in the recent past, to your certain knowledge have been members of the Communist Party?

Mrs. WAILES. I have no knowledge.

Mr. ARENS. Do you know people who have been members of the Communist Party?

Mrs. WAILES. I refuse to answer that question and I have constitutional right.

Mr. ARENS. Why do you refuse to answer that question?

Mrs. WAILES. Fifth amendment.

Mr. ARENS. Why do you refuse to answer that question?

Mrs. WAILES. Because under constitutional rights which I also have, even though I am a Negro; I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully, submit that will conclude the staff interrogation of this witness.

Mr. MOULDER: Any questions, Mr. Willis?

Mr. WILLIS. No.

Mr. MOULDER. Any questions Mr. Johansen?

Mr. JOHANSEN. No.

Mr. MOULDER. I want to ask one or two questions.

Mrs. WAILES. Sorry I can't hear you.

Mr. MOULDER. I want to ask one or two questions of you, Mrs. Wailes.

I understood you to say you are not now a member of the Communist Party.

Mrs. WAILES. No, sir.

Mr. MOULDER. And you have no association or connection with any of the Communist Party activities, is that correct?

Mrs. WAILES. That is correct.

Mr. MOULDER. You are engaged now working where?

Mrs. WAILES. A secretary.

Mr. MOULDER. As a secretary?

Mrs. WAILES. Yes.

Mr. MOULDER. Are you married?

Mrs. WAILES. Yes, I am.

Mr. MOULDER. Now I want to say this to you that your being subpoenaed before the committee within itself, by itself, does not carry with it any reflection or any questions as to your loyalty or patriotic loyalty as an American citizen whatsoever, and I have every reason to hope that you are.

You are excused as a witness and you may claim your witness fee.

Mrs. WAILES. Thank you.

Mr. ARENS. Joseph Zabritski, please come forward and remain standing while the chairman administers an oath.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ZABRITSKI, I do.

**TESTIMONY OF JOSEPH ZABRITSKI, ACCOMPANIED BY COUNSEL,
BELFORD V. LAWSON, JR.**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation?

Mr. ZABRITSKI. Joseph Zabritski, 4315 South Spaulding; I am a plumber.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. ZABRITSKI. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. ZABRITSKI. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford V. Lawson, Washington, D.C.

Mr. ARENS. Where are you employed, Mr. Zabritski?

Mr. ZABRITSKI. I am employed at the Hawthorne Plumbing Co.

Mr. ARENS. How long have you been so employed?

Mr. ZABRITSKI. A little over 2 years.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. ZABRITSKI. Oh, I have jobs off and on ever since I left Wilson & Co. in 1955.

Mr. ARENS. Where were you employed?

Mr. ZABRITSKI. I had several jobs since then.

Mr. ARENS. Give us the basic jobs that you held prior to your present job, the principal employments.

Mr. ZABRITSKI. Well, I worked for—Oh, I don't know the names of all these companies. A little place on the North Side just on the

other side of Chicago Avenue. I worked there about 2 months. And I worked for the old plant of Miller & Hart there for about 2 months and then before that I was working for the Local 25.

Mr. ARENS. Local 25 of what?

Mr. ZABRITSKI. United Packinghouse Workers of America.

Mr. ARENS. Were you ever president of Local 25?

Mr. ZABRITSKI. Yes, sir; I was.

Mr. ARENS. Over what period of time were you president of Local 25?

Mr. ZABRITSKI. I think around—I think around 1953, 1954, and 1955.

Mr. ARENS. Did you ever sign a non-Communist affidavit?

Mr. ZABRITSKI. Yes, sir; I did.

Mr. ARENS. When?

Mr. ZABRITSKI. Oh, I guess right when it first became the law of the land.

Mr. ARENS. Was that in 1948?

Mr. ZABRITSKI. That is when it became the law of the land; yes, sir.

Mr. ARENS. Did you ever resign from the Communist Party?

Mr. ZABRITSKI. I take the fifth amendment, sir.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. ZABRITSKI. I take the fifth amendment, sir.

Mr. ARENS. Are you now?

Mr. MOULDER. As suggested by the gentleman from Louisiana, please divide that question. Give the witness an opportunity to answer.

Mr. ARENS. I was about to do that.

Are you now a member of the Communist Party?

Mr. ZABRITSKI. No, sir; I am not.

Mr. ARENS. Did you resign technical membership in the Communist Party but maintain yourself in the Communist operation?

Mr. ZABRITSKI. I take the fifth amendment, sir.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

Mr. ZABRITSKI. I take the fifth amendment, sir.

Mr. ARENS. Mr. Nelson testified this morning that during his career in the Communist Party a number of persons resigned technical membership in the Communist Party but maintained themselves in the Communist operations, and he testified further that while he was a member of the formal entity known as the Communist Party he knew you, sir, as a member of the Communist Party. Was he in error in that testimony, or was he correct?

Mr. ZABRITSKI. I take the fifth amendment, sir.

Mr. ARENS. Mr. Chairman, I respectfully submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. Any questions, Mr. Willis?

Mr. WILLIS. Counsel, did you ask him the direct question whether he resigned technical membership in order to have the benefit of the invocation of the constitutional privilege?

Mr. ARENS. I asked him that question.

Mr. WILLIS. For the record I think those questions are very important from my point of view and should be answered under oath.

Mr. ARENS. I did ask him the question which you just repeated Mr. Willis, and he invoked the constitutional privilege in response to it.

Mr. JOHANSEN. I believe you testified that you did on occasion sign a loyalty oath?

Mr. ZABRITSKI. Yes, sir.

Mr. MOULDER. A non-Communist affidavit.

Mr. JOHANSEN. A non-Communist oath?

Mr. ZABRITSKI. Yes, sir.

Mr. JOHANSEN. Were you at the instant you signed that non-Communist oath a member of the Communist Party?

Mr. ZABRITSKI. No, sir.

Mr. MOULDER. May I ask you, going on farther so that the record may be clear: When was the affidavit signed, in what year?

Mr. ZABRITSKI. That will be the first year that it became the law, I don't remember when it was. I don't remember.

Mr. MOULDER. More than several years ago, in other words?

Mr. ZABRITSKI. Yes, sir.

Mr. MOULDER. Since that time have you contributed any dues or made any contributions to any cell in the Communist Party or any Communist Party activities?

Mr. ZABRITSKI. Since the time of—

Mr. MOULDER. Since 1948 or since you signed that affidavit that you referred to?

Mr. ZABRITSKI. Not that I know of.

Mr. MOULDER. That is the question and I want to make the record clear for your own protection so it will have the proper reflection upon you.

During all that period of time, you have not in any way associated yourself by participating in any Communist Party affairs; is that correct?

Mr. ZABRITSKI. I just been trying to make a living so I could support my family, that is about all.

Mr. MOULDER. Insofar as you realize or know, you have not since that time, in any way, associated with any activity of the Communist Party?

Mr. ZABRITSKI. No, sir.

Mr. MOULDER. The witness is excused.

You may claim your witness fees with Mr. Collins by signing a voucher, and Mr. Lawson I would suggest the other witnesses who haven't signed the vouchers should see Mr. Collins about it.

Mr. ARENS. We have no further witnesses for today, Mr. Chairman.

Mr. MOULDER. The committee will recess until 10 o'clock tomorrow.

(Whereupon, at 3:40 p.m., Tuesday, May 5, the subcommittee adjourned to reconvene at 10 a.m., Wednesday, May 6, 1959.)

COMMUNIST INFILTRATION OF VITAL INDUSTRIES
AND CURRENT COMMUNIST TECHNIQUES IN THE
CHICAGO, ILL., AREA

WEDNESDAY, MAY 6, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Ill.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a.m.; in courtroom 209, United States Courthouse, 219 South Clark Street, Chicago, Ill., Hon. Morgan M. Moulder (subcommittee chairman) presiding.

Subcommittee members present: Representatives Morgan M. Moulder of Missouri, Edwin E. Willis of Louisiana and August E. Johansen of Michigan.

Staff members present: Richard Arens, staff director, and Raymond T. Collins, investigator.

Mr. MOULDER. The committee will be in order.

I have received a telegram from Mr. Ralph Helstein, president of the United Packinghouse Workers AFL-CIO, wherein he states that Mr. Jesse Prosten has not been hiding out from the committee somewhere in the southeast trying to avoid service of a subpoena, that he is in St. Paul and that he resents much, during the course of the hearings, the statement that he is hiding out, that he has secured permission to return to Chicago on Wednesday, May 6, and that he will be available as a witness to appear in the hearings on Thursday, May 7.

Call your next witness, Mr. Arens.

Mr. ARENS. Mr. John Hackney, kindly come forward.

Please remain standing while the chairman administers an oath.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HACKNEY. I do.

H.C.V.A.

5/6/59

TESTIMONY OF JOHN R. HACKNEY

Mr. ARENS. Mr. Chairman, if you would be good enough to bear with us for a few seconds while this microphone system is being adjusted.

Mr. MOULDER. Sure.

7337 Calumet
Chicago, Ill.

Carver

573

Mich.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. HACKNEY. My name is John R. Hackney. I live at 7337 Calumet, Chicago. I am employed as an international representative for the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO.

Mr. ARENS. How long have you occupied that position?

Mr. HACKNEY. Since March 24, 1952.

Mr. ARENS. Give us a word, please, sir, respecting previous occupations you have had since you reached adulthood, just the principal previous occupations.

Mr. HACKNEY. Previous occupations were—

Mr. MOULDER. The committee will stand in recess for a period of 10 minutes or until such time as the microphone can be adjusted.

(Committee members present: Representatives Moulder, Willis, and Johansen.)

(A brief recess.)

(Committee members present: Representatives Moulder, Willis, and Johansen.)

Mr. MOULDER. The committee will be in order.

Mr. ARENS. You were, as we suspended a moment ago, in the process of giving the principal occupations which you have had since you reached adulthood. Would you kindly proceed?

Mr. HACKNEY. I would say in 1925 I started to work with Swift & Company. In 1931 I went over to the G. H. Hammond plant and worked there until the United Packinghouse Workers conducted a campaign to organize the plant, in which I took an active part in the campaign and subsequently became the president of that local, Local 26.

I took a leave of absence at the request of the district director to take a job as a field representative for the United Packinghouse Workers; approximately in the year 1944 or 1943 and remained in that position until August 1948.

Mr. ARENS. Mr. Hackney, have you ever been a member of the Communist Party?

Mr. HACKNEY. Yes, I was a member of the Communist Party approximately from 1942 to 1948.

Mr. ARENS. Mr. Hackney, why did you join the Communist Party?

Mr. HACKNEY. Well, I was led to believe that the Communist Party was the spearhead of the rights of the Negro people.

Mr. ARENS. The record cannot reflect it. You are a member of the Negro race, is that correct?

Mr. HACKNEY. Correct.

Mr. ARENS. Would you proceed to tell us why you broke with the Communist Party?

Mr. HACKNEY. I found that they were misleading myself and my people in regards to conducting campaigns for purposes of making the Negro people believe that they were pioneering the fight for their rights.

Mr. ARENS. I expect to interrogate you at length in a few moments respecting the details of your membership in the Communist Party and undertake to solicit from you considerable information respecting Communist operations. I want, if you please, first, however, in order

to place your testimony in perspective to ask you a few general questions.

You told us that you were in the meat industry, in the packing-house industry during the course of most of your adult life?

Mr. HACKNEY. Since I was 17 years old.

Mr. ARENS. Does the Communist operation in the greater Chicago area covet, seek to penetrate—is it in a position of penetration in the meat industry?

Mr. HACKNEY. It is now and always has been.

Mr. ARENS. Why?

Mr. HACKNEY. Because the party felt that the meat industry was essential to the national economy and it was important that they build the party within the meat industry in the event that we had war with other nations, that we could control the meat industry and its various outlets.

Mr. ARENS. Mr. Hackney, based upon your extensive experience in the Communist Party, how serious is the Communist operation in the greater Chicago area on the basis of your most current information?

Mr. HACKNEY. From my most current information and my experience in my activity in the party I would say that the party is stronger now in the meat industry than it ever has been.

Mr. ARENS. The Communist Party as a formal entity has been reduced in size, has it not?

Mr. HACKNEY. It has been reduced in size because of, well, there are some people that they consider not good party material that couldn't serve the purpose of the party and they were removed from office one way or other, from position in the party, from membership in the party.

Mr. ARENS. Is there a distinction in your mind based upon your experience in the Communist Party between a person who is a member of the formal entity known as the Communist Party and a person who is a Communist in the Communist operation but who, for reasons of the conspiracy, is not a formal member of the entity known as the Communist Party?

Mr. HACKNEY. The distinction between an ordinary member and a genuine Communist is that a member is just an ordinary member where, in my opinion, a Communist is a leader and operates in leadership of the union.

Mr. ARENS. Are there any persons in the conspiracy as Communists who have resigned technical membership in the formal entity known as the Communist Party?

Mr. HACKNEY. Yes.

Mr. ARENS. Now, yesterday, and I am using this only from the standpoint of a simple illustration for the record which we are making today, yesterday we heard witnesses, some of whom had been identified as members of the Communist Party. When they appeared before this committee they said in effect that they were not then members of the Communist Party. When I asked them if they resigned technical membership in the formal entity known as the Communist Party in order to maintain themselves in the Communist operation, they refused to give us responses.

Do you have any recommendations, based upon your background and information, which could establish a criterion or test that can be

applied to determine whether or not a person who has resigned from technical membership in the formal entity known as the Communist Party is, in truth and in fact, out of the conspiracy?

Mr. HACKNEY. In my opinion if a person has resigned completely from the Communist Party he would come before this committee and he would say so and he would testify, the same as I am, and as far as experience I have had with members of the Communist Party resigning for technical reasons, I can cite you one particular case that comes in my mind and that was in the 1948 convention here in the city of Chicago.

There was a caucus meeting held of top party officials and for the purpose of deciding who was to resign from the party because of the refusal to sign the Taft-Hartley oath and in one particular case there was Meyer Stern, the district director of District 6 in New York, whom I knew to be a member of the party, and to my surprise I learned that he had resigned from the party the night before the election of officers took place and that he was now eligible to run for office and be reelected a district director of District 6 because he was now not a member of the party and free to sign a non-Communist affidavit.

Mr. ARENS. Did he maintain himself for all intents and purposes as an active member of the conspiracy?

Mr. HACKNEY. Yes.

Mr. MOULDER. Just to correct the record, Mr. Arens, I hope I am not too technical.

But do you know from your own personal knowledge that that reasoning and application of the reasoning that Mr. Arens has stated, applies to the witnesses who testified here yesterday?

The reference was made to those witnesses and I wonder if you know of your own personal knowledge anything about them in that respect?

Mr. HACKNEY. Most of them signed the affidavit after I left.

Mr. MOULDER. Then you don't know of your own personal knowledge that they are still active or associated with the Communist Party's philosophy and activities?

Mr. HACKNEY. No; I don't. No.

Mr. MOULDER. I see.

Mr. ARENS. As of the time you left the Communist Party, how intensive was the Communist penetration of the packinghouse industry in the greater Chicago area?

Mr. HACKNEY. In the greater Chicago area most of the local unions and the international positions in this organization were held by members that I know who have been members of the Communist Party.

Mr. ARENS. Before we get into the details of your participation in the Communist movement, I should like to ask you if, since you have broken from the Communist Party, you have been a consultant, a witness for the United States Government in certain proceedings?

Mr. HACKNEY. Yes; I have.

Mr. ARENS. In other words, the Government of the United States via the Justice Department and the Immigration and Naturalization Service and other agencies have availed themselves of your services in a public capacity giving the Government information respecting the operation of the conspiracy; is that correct?

Mr. HACKNEY. That is correct.

Mr. ARENS. Now, kindly tell us, if you please, where and when you joined the Communist Party.

Mr. HACKNEY. Well, I signed the card at the district headquarters of the UPWA. At that time it was located at 4758 South Marshfield. I remained in until—during the 1948 strike, up until that time. Some time during 1947 I began to see through the conspiracy to mislead the people of the industry and particularly Negro people and I became fed up with it and I think that they suspected that I was becoming inactive and after the 1948 strike I received a letter from President Helstein that my services were no longer required because of the financial strain that was on the international in regards to the 1948 strike.

It was necessary to cut the staff at this time. And that I was one of those that had left the plant on a leave of absence, that I would be requested to go back to the plant, maintain myself until at such time the international saw fit to again increase its staff I would be given consideration.

However, when they did increase its staff I was replaced by a man from United Electrical Workers Union and I had left the party and apparently for that reason I wasn't called when they decided to increase the staff.

Mr. ARENS. Now, may I inquire, did you attend Communist Party training schools after your induction into the Communist Party?

Mr. HACKNEY. Yes; I did. That is one of the requirements. After they recruit you into the party you are not considered just good party material by simply joining the party. You have to be trained to become an aggressive leader in the union.

Mr. ARENS. Where were you trained?

Mr. HACKNEY. I went to school in Des Plaines.

Mr. ARENS. Des Plaines, Illinois?

Mr. HACKNEY. Des Plaines, Illinois. I went to, I believe, at that time it was called Abraham Lincoln Center on Oakwood Boulevard and Langley Avenue. We had classes there in regard to parliamentary procedure, public speaking, how to become a leader in the union. How to stand out so people will recognize you as being a leader. This would bring prestige to the party.

Mr. ARENS. Did you go to any other schools?

Mr. HACKNEY. That was all that I can recall at this time. I probably did. We had classes at 4848 Ashland Avenue at various times but how many classes I could not remember.

Mr. ARENS. Based upon your experience in the Communist Party and as one who was trained in the Communist Party training schools do you have any pronouncements to make respecting the connection between the Communist Party and the Communist operation in the United States and the international Communist conspiracy directed from Moscow?

Mr. HACKNEY. Well, they practically followed the same line.

Mr. ARENS. Is there a direct line of control?

Mr. HACKNEY. We always referred to our comrades in Russia and the trade-union movement in Russia and they are our comrades and naturally we all are in the same organization.

Mr. ARENS. Tell us, please, the various entities within the meatpacking industry to which you were connected as a comrade.

Mr. HACKNEY. I was connected as the chairman of the small house branch of the Packinghouse Section.

Mr. ARENS. What comprised the small house branch?

Mr. HACKNEY. The small house branch consisted of small plants that employed say 300 or 400 people, 100 people, and they were all combined together in one branch of the section.

Mr. ARENS. Could you tell us how the Packinghouse Section was made up?

Mr. HACKNEY. The Packinghouse Section was made up of three or four branches. There were the Swift branch, the Armour branch, the Wilson branch, and the small house branch.

Mr. ARENS. Who was chairman or in leadership capacity in the Swift branch?

Mr. HACKNEY. Well, they had a problem in the Swift plant branch. They were trying to find leadership. They had several that they tried. They had tried Ramirez. They tried John Lewis. They tried Charley Proctor.

Mr. ARENS. Were all of them known by you to be members of the Communist Party?

Mr. HACKNEY. Definitely.

Mr. ARENS. Did you serve in closed Communist Party meetings with them?

Mr. HACKNEY. Yes.

Mr. ARENS. How about the Armour branch. Who were in leadership capacity at the Armour branch?

Mr. HACKNEY. You had Leon Beverly, Joe Bezenhoffer. I have several names if you care to. I have some notes in my pocket.

Mr. ARENS. I want to get into the identities of a number of people a little later on. I just at the moment want the leaders. The Armour branch.

Mr. HACKNEY. Armour branch, Beverly, Bezenhoffer.

Mr. ARENS. Give the full names, please?

Mr. HACKNEY. Joe Bezenhoffer, Leon Beverly, Randolph Luke, Charles Mitchell.

Mr. ARENS. How about the Wilson branch?

Mr. HACKNEY. Wilson branch consisted of Joe Zabritski, Carl Nelson, Sam Parks.

Mr. ARENS. Were they the leaders?

Mr. HACKNEY. They were the top ones.

Mr. ARENS. How about the small house unit?

Mr. HACKNEY. As to the small house unit, I was the head of the small house unit. We had—

Mr. ARENS. Did you have associates in leadership?

Mr. HACKNEY. I had associates in the Miller & Hart plant, James Jesse Richards; in the Illinois Meat Co. we had a leader by the name of Jack Sechrest, and—

Mr. ARENS. Did that pretty well include the leadership?

Mr. HACKNEY. That included the top leadership. There were others but they were not considered leaders.

Mr. ARENS. As of the time you disassociated yourself from the Communist Party, who was the top leader of the Communist operation in the packinghouse industry in the greater Chicago area?

Mr. HACKNEY. Jesse Prosten.

Mr. ARENS. Give us a word about Jesse Prosten.

Mr. HACKNEY. Jesse Prosten was known as the brains behind the scene. He was considered the No. 1 party member in packing. He

is the comrade that had connections throughout the industry where there were other members of the party and there were other people that were not members of the party that he had good relationships with.

Mr. ARENS. What is his present job?

Mr. HACKNEY. I am told that his present job now is head of the grievance department of the UPWA. However, when I was associated with the United Packinghouse Workers he was head of the grievance department in the Armour chain. I since learned he had been promoted now to cover the entire grievance department there in the national union.

Mr. ARENS. Now, I should like, before we get into the identification of additional persons known by you to be Communists in the packinghouse industry, to ask you about certain phases of the activities in which the Communists were engaged, to your certain knowledge, while you were in the party assigned to the packinghouse industry. Do you have information respecting Communist Party activities in political campaigns?

Mr. HACKNEY. Very definitely. There is one that stands out very bold in my memory and that was the campaign to elect Pete Brown for alderman of the Second Ward. We had several meetings at 4848 Ashland and discussed the problem. When I said several meetings I don't mean meetings of the party itself, but I mean the top echelon. I was considered what you might call part of the top brass by virtue of me holding a chairmanship in the small house branch.

The top officials of the party would meet on various occasions and discuss strategy and plans and this particular time we discussed the possibility of running one of our people as an alderman of the Second Ward.

Pete Brown lived in the Second Ward. We had a meeting and discussed it at 4848 Ashland. We came to agreement there and left there and went to the South Side Branch of the Communist Party, with Claude Lightfoot and discussed it with him.

Mr. ARENS. Who was Claude Lightfoot?

Mr. HACKNEY. He was at that time the chairman of the South Side Branch of the Communist Party. We discussed it with him and reviewed the political work that took place in 1944 at which time we had a very effective ward organization and it was discussed that we should continue this ward organization because it was felt that we could use it for some political influence. We conducted a good campaign, showing progress.

Mr. ARENS. Were union funds utilized in the campaign?

Mr. HACKNEY. Definitely. I would say it this way: I was a full-time paid organizer for the UPWA. Pete Brown was a full-time paid organizer for the UPWA. And Sam Parks was paid by his local union, full time. And when we met these are the people that attended that meeting and mapped the strategy out.

Yes, there were other funds raised for the campaign. People were asked to come out of the plant on temporary leave to poll watchers to do whatever assignment they had for them.

Mr. ARENS. I would like to invite your attention to another area of Communist Party activity and solicit from you your frank statements and observations based upon your own experience. It has been

the experience of this committee, Mr. Hackney, as we go from area to area trying to develop information respecting the operation of the Communist conspiracy, that trained hard-core agents of the conspiracy sit opposite us here and surround themselves with an aura of sanctity saying that they are the ones that are advocating the preservation of precious rights and that this committee is the one that is destroying those rights, this committee is the witch hunter, this committee is the one that is trying to destroy the civil rights of the colored people of our country, that this committee is the entity that is against civil rights and the only reason why we have at any time a colored man before this committee is because he is a colored man and because we want to hold him up to ridicule and destroy him.

Now, based upon your experience in the Communist Party, are these comrades sincere when they make those protestations and surround themselves with that aura of respectability on their own conduct?

Would you just in your own way express yourself on this very crucial issue?

Mr. HACKNEY. That very definitely in my opinion is an outright lie. They have portrayed themselves to be the pioneers for the rights of Negro people and I know from experience and past experience that they have used the many grievances of the Negro people for the purpose of building the party. They cite certain cases that they played an attractive role in getting some actions. One that comes in my mind is the Scottsboro case, that they contend that they were active in, well, the launching the forefront for the Scottsboro boys, gaining them a hearing—what were results of the hearing I don't know—but they contend they were in the forefront.

They contend they were in the forefront when the Negro people were being evicted during the depression era, that they were active in putting people back in their homes. Overall they contend that they are the pioneers for the rights of the Negro people.

Mr. ARENS. Are they sincere in those protestations?

Mr. HACKNEY. Definitely not.

Mr. ARENS. Do you have any illustrations in your own mind from your own experience in which the Communist operations have actually discriminated against people of the Negro race for the interest of the advancement of the conspiracy?

Mr. HACKNEY. Well, I would say if they were interested in Negro people I can cite you—this microphone is off now.

Mr. MOULDER. The committee will recess for a period of 5 minutes or short period of time until the microphone can be properly adjusted.

(Members of the committee present: Representatives Moulder, Willis, and Johansen.)

(A brief recess.)

(Members of the committee present after recess: Representatives Willis and Johansen.)

Mr. ARENS. Would you proceed on the matter which you were discussing and speak right into the microphone, please?

Mr. HACKNEY. I can think of cases where they have—it's not on now.

Mr. ARENS. If you will kindly speak into the speaker and just proceed with the information which you were in the process of supplying

to the committee when we had the interruption because of the temperament of the microphone system here.

Mr. HACKNEY. I would say that in many cases they have destroyed Negro leaders in the union that they felt were detrimental to their programs. I can cite a particular case of Phil Weightman. In my opinion Phil Weightman was a fighter for the rights of Negro people, who was vice president of the United Packinghouse Workers at the time I was there, and it seems that Phil Weightman would oppose them on certain issues, I imagine in the international executive board meetings, and for that reason Phil Weightman was, you might call, exterminated.

I can think of some other Negro leaders. It comes to my mind, Oscar Wilson was one time a field representative. Apparently he didn't go along with the program and eventually he was exterminated.

Mr. ARENS. May I just ask you your observation as to why the Communist Party has created such fronts as the National Negro Congress and others of like stripe with a front at least of attempting to beguile the American people into believing that they actually in truth and in fact are sincere in seeking betterment for the Negro citizenry?

Mr. HACKNEY. They set up these front organizations so that they cannot be connected with the party itself. The purpose of these organizations is to try to prove to the Negro people that this committee is fighting for the rights of the Negro people. They are not identified as a Communist organization. They are fronted through certain names like the Negro peoples' National Negro Congress, a few other names.

Mr. ARENS. Could you from your own experience give us an illustration or so of a front group in which you as a Communist participated on behalf of the Communist Party within a front group?

Mr. HACKNEY. I was active in the National Negro Congress.

Mr. ARENS. In what capacity?

Mr. HACKNEY. I was just active in the community in regards to get people out to vote, using the people that we had in the Negro National Congress to set up our ward organization.

Mr. ARENS. Were you also active in the Midwest Committee for Protection of Foreign Born?

Mr. HACKNEY. No, but that name came up many times when they were asked contributions to be sent to this organization.

Mr. ARENS. Would you give us just a few words respecting the technique of the Communist operation, what we will in this session characterize as the self-criticism discussions? Can you give us a word about that, the Communist technique?

Mr. HACKNEY. We had several of these sessions, they were called—sometime we called them bull session and sometime just have a meeting.

Where people are not too aggressive, it seems like they had fallen by the wayside and at these sessions you were to get up and point out your weaknesses, what you thought was wrong with you, criticize yourself and then you in turn would turn around and state what you thought you could do to correct your weaknesses.

At the same time you were to point out your own weaknesses you had an opportunity to criticize other people that you saw that had

certain weaknesses. We had several of these sessions for the purposes of, well, in their opinion you were not being active enough to reactivate you, make you more aggressive.

Mr. ARENS. Could you give us a further word with respect to the techniques of collection of money for the operation of the conspiracy?

Mr. HACKNEY. For example, there were mass rallies to raise money, to say fight for something that happened down South. I have in mind that there was a lynching down South. A big rally was held for the purpose of raising funds to see that people responsible for certain crimes in the South were brought to justice. We had many of these rallies.

Mr. ARENS. Did the Communist Party have anything to do based upon your information with the financing of the present headquarters of the United Packinghouse Workers in the Chicago area?

Mr. HACKNEY. Yes.

Mr. ARENS. Can you tell us about that?

Mr. HACKNEY. It happened to be at the ground-breaking ceremonies, I think the summer of 1947, and at that time I was standing in the crowd a man came up to me that I recognized as Seymour Siporin and he recognized me and we shook hands.

Mr. ARENS. Was he a Communist?

Mr. HACKNEY. Yes. He told me that he had designed this building and was in the process of building it.

Mr. ARENS. Did he tell you about the processes of financing it?

Mr. HACKNEY. No, he didn't tell me.

Mr. ARENS. Can you tell us about any city-wide Communist Party meetings in the course of your experience in the Communist Party?

Mr. HACKNEY. We had several citywide meetings, where we would meet Communist Party members from other organizations other than the packinghouse workers. They were at no particular time, just whenever the occasion called for it. We would have one of these citywide meetings and we would discuss problems on a citywide basis and statewide basis.

Mr. ARENS. Mr. Hackney, of course it is obvious I know nothing about the meatpacking industry, but since we have been studying the Communist operation in this area I have learned just a little about it. I have learned that there has been in the course of the last few years a sort of a decentralization or a scattering of some of the meatpacking plants from the Chicago area on out into the Midwest and up into the Northwest to a degree at least, so we understand.

Has the Communist operation been following this decentralization operation, do you know?

Mr. HACKNEY. No, I don't know of that. But in the city I would say that they remain with the industry as it stands. However, I learned that the packing industry in Chicago is only a shadow of what it was in 1948, in which I was president—

Mr. ARENS. Can you tell us what the Communist means in Communist lingo or jargon by the word "colonizing"?

Mr. HACKNEY. Colonizing means that you send a person into various localities where the party is weak, where they have very little party influence. I can cite one particular case that comes to my knowledge. The party was weak in the Swift plant and there was a Victoria Kramer sent into that plant for the purpose of activizing.

Mr. ARENS. Was Victoria ~~Kramer~~ a Communist? III

Mr. HACKNEY. Yes.

She was planted in the Swift plant for the purpose of activizing the white women in the plant. I know Carl Nelson was sent from the Armour plant over to the Wilson plant to build the party in the Wilson plant. There might be some other instances that don't come to my memory at this time.

Mr. ARENS. Do you have information respecting the creation and operation by the Communist Party or the Communist operation in the greater Chicago area of a publication known as the Chicago Star?

Mr. HACKNEY. Oh, yes.

Mr. ARENS. Can you tell us about that, just the highlights of it, please?

Mr. HACKNEY. We had several meetings of it—the section or section committee and we discussed that some people would shy away from subscribing to the Daily Worker because it was a known Communist paper, whereby if we had a local paper that could be classified as a labor paper, put out for the people of Chicago, that the people would be more apt to subscribe for it and read it, where we could still get our message over to the people without putting it in the Daily Worker.

Mr. ARENS. Was it absolutely controlled by the Communist conspiracy?

Mr. HACKNEY. Yes.

Mr. ARENS. I should like to ask you respecting the information you have in regard to each of several persons and I want you to be exceptionally cautious, and not give us any indication of any suggestion even though you thought they may or may not have been members of the Communist Party unless you are absolutely certain, based upon your membership in that conspiracy and based upon absolute information that came to you from closed party meetings.

Did you in the course of your membership in the Communist Party know as a Communist, Leon Beverly?

Mr. HACKNEY. Yes.

Mr. ARENS. Give us a word about Leon Beverly, please.

Mr. HACKNEY. Leon Beverly was in the Armour plant. He was on the executive board until the president of that local, who was Sam Curry, was pushed upstairs, given a job on the international payroll as assistant to the director or the wage rate department, and Beverly who later became the president of that local union, the Armour Local 347. III

Mr. ARENS. In the course of your membership in the Communist Party, can you tell us to a certainty while you are under oath, whether or not you knew Hazel Gray as a member of the Communist Party, if so in what capacity Hazel Gray served? III

Mr. HACKNEY. I met Hazel Gray, who was with the Farm Equipment Union. I first met her in the South Side Section of the Communist Party at which time I learned that she was in the Farm Equipment Union, an active leader in that union.

Mr. ARENS. Did you while you were a member of the Communist Party know as a Communist Charles Hayes?

Mr. HACKNEY. Yes, I knew Charles Hayes. When I first met Charley Hayes he was in the Wilson plant and he was on the slate

of Sam Parks that were successful in defeating the president at that time who was a man at that time by the name of Dock Williams. And Charley Hayes was later the chairman of the grievance committee in the Wilson local, which was Local 25 at that time.

And I was at several meetings where Charley Hayes was present and at one meeting it was stated that Charley Hayes had been sent away to school, a school where I don't know, and that also was one of the requirements. When you are a party member you are sent to leadership schools to be educated.

Mr. ARENS. When you say educated, do you mean trained in Communist Party techniques?

Mr. HACKNEY. That is what I mean.

Mr. ARENS. Could you give us a further word with respect to Jesse Prosten. I believe you said a few moments ago that during your experience in the Communist Party he was the top director of Communist Party activities in the meatpacking industry.

Mr. HACKNEY. Jesse Prosten was the No. 1 Communist in the packing industry. He was the one that got his directions from some place I don't know of and brought them back to the packinghouse workers and he proposed programs, he suggested campaigns to strengthen the party, he led discussions in how to build the party and he sat in on all the top meetings of the top party people in the packinghouse section.

Mr. ARENS. Did you know as a Communist, William Rix?

Mr. HACKNEY. Yes, I know William Rix. He is from New York District 6. I attended caucus meetings with Rix in meetings that we had prior to convention or during conventions. In Montreal I recall we had a caucus meeting at which Bill Rix was in attendance where only party people were present.

Mr. ARENS. Did you know as a Communist, Donald H. Smith?

Mr. HACKNEY. Yes, I knew Donald Smith. He is also from New York and I met him through the same way I met Bill Rix.

Mr. ARENS. Could you tell us a word about his activities in the Communist conspiracy?

Mr. HACKNEY. Well, Bill Rix was considered one of the party people in the New York area.

The only occasion I had to be in the presence of Bill Rix in party meetings was when we had these various caucus meetings except the one we had in Chicago in 1947 prior to the 1947 convention at which time party people throughout the country were present and the subject of discussion at that time was to get rid of Phil Weightman; that Phil Weightman was leaning too far to the right, you can't work with him, can't do anything with him and therefore he must go.

Mr. ARENS. To what extent are the comrades trained in these training schools to use noncomrades for the accomplishment of Communist Party objectives?

Mr. HACKNEY. That is one of the purposes of the school is to teach the comrades how to work with nonparty people. One of the things that comes up quite frequently in party meetings is to keep the party member aware that he must know how, know the techniques of working with nonparty people.

Mr. ARENS. Do the party people in these days make it known that they are members of the conspiracy or do they pose as great humanitarians?

Mr. HACKNEY. They don't say they are members of the Communist Party. They naturally portray themselves as trade union leaders, apt trade union leaders.

Mr. ARENS. Would you tell us whether or not you knew as a comrade, as a member of the Communist Party, Jack Souther?

Mr. HACKNEY. Yes, I knew Jack Souther. He also came out of the Wilson local, Local 25.

Mr. ARENS. Tell us a little of his activities, if you please.

Mr. HACKNEY. Well, Jack was on the executive board of Local 25. He wasn't too active until after the 1948 strike, at which time I had left the industry.

Mr. ARENS. Did you know as a comrade, as a member of the Communist Party, Meyer Stern?

Mr. HACKNEY. Yes; Meyer Stern was district director of District 6 in New York City.

Mr. ARENS. District 6 of the meatpacking?

Mr. HACKNEY. Of the United Packinghouse Workers. Not meatpacking industry because that perhaps embodied some other organization. I want to make it clear we are referring to the United Packinghouse Workers.

Mr. ARENS. Kindly tell us did you know as a comrade, as a member of the Communist Party, Olga Zenchuk? Mich

Mr. HACKNEY. Yes; I met Olga Zenchuk in Detroit. I was assigned to work in District 7 and I was told when I get in District 7 to look up Olga Zenchuk and she could help me getting to the right people in Detroit.

Mr. ARENS. Did she do so?

Mr. HACKNEY. Yes.

Mr. ARENS. Did she identify herself in Communist Party techniques to you as a member of the conspiracy?

Mr. HACKNEY. Yes.

Mr. ARENS. Did you know as a member of the Communist Party Leslie Orear.

Mr. HACKNEY. Yes, Leslie Orear was on the section committee of the Packinghouse Section. His job was to advance educational program, come up with the proper literature that he felt that we needed to educate the party members within the Packinghouse Section.

Mr. ARENS. Did you know as a member of the Communist Party, Rachel Ellis?

Mr. HACKNEY. I don't know her by that name at the time. Her name was Carter. She was from Local 453.

Mr. ARENS. Apparently Ellis is her married name; is that correct?

Mr. HACKNEY. I have since learned she married a man by the name of Ellis.

Mr. ARENS. Then her maiden name was Rachel Carter and her married name was Rachel Ellis; is that correct?

Mr. HACKNEY. As I understand it. I knew her as Carter, when I knew her.

Mr. ARENS. Give us a word about her, please.

Mr. HACKNEY. I met her in one of the citywide meetings at Van Buren and Ashland. At that time she was secretary of UAW, Local 453. I since learned that she is now employed at District 1, secretary to Charles Hayes, the district director of that district.

Mr. ARENS. Can you tell us by what devices the Communist operators within the packinghouse industry were able to control and influence the rank-and-file. It is obvious to us. It ought to be obvious to any thinking person that the Communists within any organization are numerically in the minority. How did the Communists within the packinghouse operation control the majority and conceal from the majority the fact that they were hard-core members of a conspiracy?

Mr. HACKNEY. A party person is always trained to be aggressive union leader, to always be in the forefront fighting for the rights of the working people. Naturally when the worker sees a certain man is out there fighting for decent wages, working conditions for the packinghouse worker, well, he naturally is influenced by that particular man. Whenever there is an opportunity to run a slate of officers, they get out and work real hard, they get the people elected, not only members of the Communist Party but people that are influenced by the party on their slate of officers and usually are elected to office.

Mr. ARENS. Mr. Chairman, I respectfully submit if it is agreeable with the Chair that we have about a 5-minute recess.

Mr. WILLIS. That will be agreeable. We will stand in recess for 5 minutes.

(Members of the committee present at the time of recess: Representatives Willis and Johansen.)

(A brief recess.)

(Members of the committee present after recess: Representatives Moulder, Willis, and Johansen.)

Mr. MOULDER. The committee will be in order.

Proceed, Mr. Arens.

Mr. ARENS. Mr. Hackney, as I commented earlier it has not been our intention on this record to exhaust the subject matter with you. You have testified in executive session, have you not?

Mr. HACKNEY. Yes, I have.

Mr. ARENS. And you have also been in repeated consultation with representatives of this committee, the staff, at which time you have supplied considerable information on numerous items of the operation of the Communist Party here, have you not?

Mr. HACKNEY. I have.

Mr. ARENS. Just so that we may not trespass unduly upon other areas, may I ask if there are any items of information germane to the subject matter here, which you would like on this record to reveal to the committee?

Mr. HACKNEY. Yes, I would like to reveal that I was a witness in the deportation hearings of José Ramirez, who my understanding is a field representative of the United Packinghouse Workers. This hearing took place in the headquarters of the Immigration Service at which hearing I was a witness and I testified for the Government in that case.

Mr. ARENS. Are there any other key persons, and I am not asking you on this record for the rank-and-file, are there any other key persons in the Communist operation in the meatpacking industry in the Chicago area concerning whom you should like to comment?

Mr. HACKNEY. Yes, I would like to comment on Charles Proctor, who I understand now that he is a field representative for the United

Packinghouse Workers and I know him well because I signed him up in the party myself.

Mr. ARENS. Does he spell his name Charles P-r-o-c-t-o-r?

Mr. HACKNEY. That is right.

Mr. ARENS. Give us just a word then, please, about his activities in the Communist Party in the meatpacking industry?

Mr. HACKNEY. Well, Charles Proctor came from the local at which time I was president. He later became chairman of the grievance committee of Local 26 which I was the president. After much discussion and letting him read the Daily Worker I told him what the intention of the party was and he was sold to idea and signed application card with me. I since learned he is now a full-time paid organizer for the United Packinghouse Workers.

Mr. ARENS. Are there any other key persons who to your certain knowledge were members of the Communist Party assigned to and working in the packinghouse industry?

Mr. HACKNEY. I have in mind a John Lewis who, I understand, is now the president of the Swift local.

Mr. ARENS. I believe you commented with respect to John Lewis?

Mr. HACKNEY. Did I?

Mr. ARENS. So that the record may be absolutely clear you, of course, are at liberty to comment again.

Mr. HACKNEY. I was president of Local 26. At that time John Lewis was vice president and when I left the industry to take a full-time job, John Lewis became president and when the operation of his department closed down he was transferred to the Swift plant and at that time the party was much concerned because now they had a potential leadership in the Swift plant and John Lewis was the party member in the Swift local.

Mr. ARENS. Is there another key person?

Mr. HACKNEY. Yes; there is Milton Gilmore, who at the time I was there was president of Local 23, the Teddy Brennan local. There was James Keller who was secretary.

Mr. ARENS. Do you here and now testify that you knew each of these men to a certainty to be members of the Communist Party?

Mr. HACKNEY. Definitely.

Mr. ARENS. All right, sir, proceed. So the record may be clear do not give us on this record the name of any person unless you know to a certainty from your experience in the Communist Party and your association with that person in a closed party meeting, that that person was a member of the Communist Party.

Mr. HACKNEY. There was James Keller, who was a full-time paid organizer for the Communist Party who was the section organizer for the Packinghouse Section of the party at which I was a member of the section committee.

Mr. ARENS. Is there another?

Mr. HACKNEY. Those are the important ones.

Mr. ARENS. That is what I mean. I do not want to encumber the record just with a number of names. We want only the pattern as the chairman announced in the opening statement. If we go into the names of all of the comrades who have been identified for us either in executive session or consultation, we would have quite a lengthy list.

Is there any other item of information which I may not have elicited from you?

Mr. HACKNEY. I don't think there was any mention of keeping records of dues-paying members.

Mr. ARENS. Would you comment on that, please?

Mr. HACKNEY. Joe Zabritski, who was a member of the section committee, kept records of dues-paying members. He later eventually became president of Local 25, the Wilson local.

Mr. ARENS. Was he a member of the Communist Party?

Mr. HACKNEY. Yes.

Mr. ARENS. Spell his name for us, so the record is clear.

Mr. HACKNEY. Z-a-b-r-i-t-s-k-i.

Mr. ARENS. You have commented with respect to him, I am certain.

Mr. HACKNEY. Yes.

Mr. ARENS. Is there any other item of information that you would like to make available to the committee?

Mr. JOHANSEN. Mr. Chairman, when the witness refers to dues-paying members is he speaking of the union or of the party?

Mr. HACKNEY. I am speaking of the party.

Mr. JOHANSEN. Thank you.

Mr. ARENS. Is there any other item of information you would like on this record which is germane to the scope of our inquiry?

Mr. HACKNEY. I can't think of any offhand.

Mr. ARENS. Mr. Chairman, under these circumstances I respectfully submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. Mr. Willis, do you have any questions?

Mr. WILLIS. No questions.

Mr. MOULDER. Mr. Johansen, do you have any questions?

Mr. JOHANSEN. I would like to ask you to comment a little further on one point you made. You said early in your testimony that you found that the Communists were misleading the Negro people. I would like to have you just comment, if you care to, briefly, on your feelings as to the disservice done to the colored people through the efforts of the Communist leadership to exploit them for both publicity and financial purposes, and particularly if you have any knowledge of the extent, if any, to which funds collected ostensibly for the aid of the rights and the causes of the Negro citizens were diverted to party uses.

Mr. HACKNEY. Well, for example, if some incident like a lynching took place in the South it would eventually have a mass rally some place, oh, maybe around the Wilson plant or maybe around the Armour plant or maybe in Washington Park. A mass rally for the purpose of raising funds to bring the people responsible for such tragedy to justice and they would have these big rallies and they would ask local unions to make contributions. They would ask individuals to make contributions and they would take up collections at these various rallies for the purpose they said for defending and bringing to justice these people that were responsible for these crimes.

Mr. MOULDER. May I interrupt? In that connection, I believe our hearings have revealed and the record will show that in a number of instances, under Communist Party leadership, they have agitated discrimination and cases of that sort in order to bring up the proposition that there was discrimination. I believe our hearings have revealed

instances of that kind, where shootings and other mistreatment of members of the Negro race were actually brought about through Communist Party conspiracy and plans to arouse prejudice and the cry of discrimination.

Mr. HACKNEY. In many cases of that sort. I don't have any particular one in mind.

Mr. MOULDER. Mr. Hackney, we are certainly deeply grateful for your testimony. And the information you have given us will be of great value in our legislative program of protecting our national defense and the internal security. We sincerely commend you for your courage. You are an honest and patriotic citizen of the greatest country in the world. You and your people have made great contributions to our progress and success as a great Nation. Your testimony corroborates my statement yesterday that even though the Negro race has suffered in many ways and although the Communists have concentrated their attentions to take advantage of that fact to recruit and to gain the support of the Negro people, they have had little success. In fact, less success than they have had with all other races of people.

Therefore, under these trying circumstances you and your people deserve proper credit and public commendation and respect and understanding; and to you personally, I want to say that you are an able and outstanding man, who shows great leadership ability. And I repeat, you are an honest man and although a few may criticize you, they will be a very few. But I predict that no one will appear before this committee or at any other place to dispute one word or any part of your testimony given to this committee today. And with our sincere thanks and best wishes you are excused as a witness.

Thank you.

Call the next witness.

Mr. ARENS. Mr. Charles Hayes, please come forward.

Mr. MOULDER. Will you hold up your right hand and be sworn, please?

Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAYES. I do.

Charles A. Hayes *Charley Hayes*

TESTIMONY OF CHARLES A. HAYES, ACCOMPANIED BY COUNSEL,
BELFORD V. LAWSON, JR.

H.C.V.A.

5/6/59

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. HAYES. Name, Charles A. Hayes. Address, 5471 Ingleside Avenue, Chicago, Ill. Occupation, director of District I of the United Packinghouse Workers of America, AFL-CIO.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. HAYES. I am.

Mr. ARENS. And you are represented by counsel?

Mr. HAYES. I am.

Mr. ARENS. Counsel, please identify yourself on the record.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. HAYES. Would you care to have the subpoenas?

b. 2/17/18, Cairo, Ill.

Mr. ARENS. No, you don't need to return the subpoena. You may keep that.

Mr. HAYES. All right.

Mr. ARENS. Mr. Hayes, do you know the man who preceded you to the witness stand, John Hackney?

Mr. HAYES. I do know John Hackney.

Mr. ARENS. How long have you known him?

Mr. HAYES. Well, I would say since about 1945 or thereabouts.

Mr. ARENS. Was he correct in his testimony a few moments ago when he said that he knew you as a member of the Communist Party?

Mr. HAYES. I refuse to answer that question on the grounds that it might incriminate me.

Mr. ARENS. Would you repeat the position you occupy and how long you held it?

Mr. HAYES. I have been elected—I was originally elected as director of my union in 1954, I think in May.

Mr. ARENS. Have you maintained the position as a director continuously since then?

Mr. HAYES. I have. Not only am I a director of my union, I am also the first Negro vice president of the AFL-CIO here in the State of Illinois and a member of the Industrial Union Council Board.

Mr. ARENS. Where and when were you born?

Mr. HAYES. I was born February 17, 1918 in Cairo, Ill.

Mr. ARENS. Give us a word about your education.

Mr. HAYES. I am a high school graduate as of 1935 from the Sumner High School in Cairo.

Mr. ARENS. Did you receive any further education?

Mr. HAYES. I did not.

Mr. ARENS. Have you gone to any training schools?

Mr. HAYES. What training schools?

Mr. ARENS. Any kind of training schools.

Mr. HAYES. I refuse to answer that question on the ground it might incriminate me.

Mr. ARENS. Give us, if you please, the first principal occupation you have had since you concluded your formal education.

Mr. HAYES. It is quite a long time back.

Mr. ARENS. Just the principal occupations.

Mr. HAYES. Any occupation I had was principal. After finishing high school I worked for a while with Bruce & Co. in Cairo, Ill., and then the next job I had was an employee with Wilson & Co. here in Chicago.

Mr. ARENS. How long did that employment last?

Mr. HAYES. I worked initially, started in 1942 and I worked at Wilson & Co. until—well, I was severed from the employment of Wilson & Co. as a result of the plant closing down in 1955. However, I wasn't all that time working for Wilson & Co. I was on leave of absence from the company part of the time.

Mr. ARENS. Have you ever signed an affidavit under the National Labor Relations Act?

Mr. HAYES. I have.

Mr. ARENS. And what year was that, do you recall?

Mr. HAYES. In 1954.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. HAYES. I refuse to answer that question on the grounds that it might incriminate me.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. HAYES. I am not.

Mr. ARENS. Have you been a member of the Communist Party at any time in the last 5 years?

Mr. HAYES. I have not.

Mr. ARENS. Have you been a member of the Communist Party at any time since the passage of the Taft-Hartley Act in 1948 requiring a non-Communist affidavit?

(The witness conferred with his counsel.)

Mr. HAYES. Could you kindly tell me the date when the Taft-Hartley law was passed?

Mr. ARENS. In 1948.

Mr. HAYES. I decline to answer that question on the grounds that it might incriminate me.

Mr. ARENS. Is your declination to answer based upon a state of facts created by yourself in response to the passage of the Taft-Hartley Act in 1948?

Mr. HAYES. Will you restate your question, and don't do it so fast, please.

Mr. ARENS. We have just agreed that the Taft-Hartley Act was passed in 1948 and you have declined to answer as to whether or not you have been a member of the Communist Party at any time since the passage of the Taft-Hartley Act and its requirement of an affidavit of non-Communist union officers. I am now asking you is your declination to answer based upon a state of facts created by yourself in order to avoid the impact of the Taft-Hartley affidavit?

Mr. HAYES. Certainly not.

Mr. ARENS. Were you a member of the Communist Party at any time since the passage of the Taft-Hartley Act?

Mr. HAYES. I decline to answer that question on the ground that it might incriminate me.

Mr. ARENS. Did you at any time, since the passage of the Taft-Hartley Act, resign technical membership in the formal entity known as the Communist Party?

Mr. HAYES. I refuse to answer that question on the grounds that it might incriminate me.

Mr. ARENS. Did you at any time take any action at the direction of the Communist Party in order that you could truthfully sign a non-Communist affidavit stating in effect that you were not then a member of the Communist Party?

Mr. HAYES. I decline to answer that question.

Mr. ARENS. Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. MOULDER. Any questions, Mr. Willis?

Mr. HAYES. I would like, Mr. Chairman, for the benefit, if I may, for the benefit of the congressional leaders who are members of this committee, and for the staff members who represent that department of that committee, to make a statement on behalf of my union.

592. COMMUNIST INFILTRATION OF VITAL INDUSTRIES—CHICAGO

Mr. MOULDER. On what?

Mr. HAYES. On behalf of my organization.

Mr. ARENS. We are not exploring the union. We are exploring Communists. We would like to ask you have you been a member of the Communist Party at any time since 1954?

Mr. HAYES. I certainly have not, Mr. Arens.

Mr. MOULDER. Any questions?

Mr. JOHANSEN. Did I understand the witness to say that he was the first member of his race to be vice president of the Illinois AFL-CIO?

Mr. HAYES. Illinois State Federation of Labor and the Industrial Union Council of the State of Illinois.

Mr. JOHANSEN. You are that at this time?

Mr. HAYES. I am that.

Mr. JOHANSEN. I thought I detected considerable pride in that.

Mr. HAYES. Yes.

Mr. JOHANSEN. Mr. Chairman, to me it is a deep tragedy that that pride has to be diluted by the invoking of the fifth amendment in this hearing.

Mr. MOULDER. I believe I understood you to say you were born in Cairo, Ill.

Mr. HAYES. Cairo, Ill.

Mr. MOULDER. And you are a married man?

Mr. HAYES. I am.

Mr. MOULDER. Family?

Mr. HAYES. Wife and two kids.

Mr. MOULDER. Did you serve in the Armed Forces?

Mr. HAYES. I did not.

Mr. MOULDER. You did not serve in the Armed Forces?

Mr. HAYES. No.

Mr. MOULDER. In connection with what Mr. Johansen said, I want it thoroughly understood, speaking for myself and I believe the other members of the committee, that your efforts at work in connection with the improvement of the working conditions, wages, and welfare of organized labor and its members are certainly not to be branded as Communist Party activities.

Mr. HAYES. Most certainly not, Congressman.

Mr. MOULDER. Also I want to congratulate you in your statement that you certainly are not, as I understand it, in any way associated with the Communist Party or Communist Party activities.

Mr. HAYES. That is right.

Mr. MOULDER. And you are, if I understand it, clearly in accord with the AFL and CIO program in ridding their membership of the Communist Party.

Mr. HAYES. I would like to have this committee know very well that my organization has lived up to, and is living up to, the codes of ethical practices of AFL-CIO.

Mr. ARENS. May I inquire a moment, then, please? Are you now against the Communist Party?

Mr. HAYES. I most certainly am.

Mr. ARENS. Then why not give this committee, while you are under oath now in this public session, the knowledge that we know you have respecting the Communist Party, respecting Communists, respecting the Communist operation in the meat industry?

Mr. HAYES. The reason I don't answer that question, Counsel, is because I am afraid that if I do it might incriminate me.

Mr. ARENS. Do you honestly apprehend, if you told this committee truthfully while you are under oath information of which you are presently possessed respecting the Communist operation in the meat industry among the packinghouse workers and the like, you would be supplying information which might be used against you in a criminal proceeding?

Mr. HAYES. I refuse to answer that question, too.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

(Witness excused.)

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Rachel Carter Ellis.

Rachel Carter Ellis, please come forward.

(Representative Moulder left the room.)

Mr. WILLIS (presiding). Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ELLIS. I do.

Mrs. Hilliard Ellis

TESTIMONY OF RACHEL CARTER ELLIS, ACCOMPANIED BY

H.C.U.A. COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mrs. ELLIS. My name is Rachel Ellis. I live at 7140 South—

Mr. ARENS. Would it be convenient for you to keep your voice up a little bit or get closer to the mike? The acoustics are very poor in here.

Mrs. ELLIS. My name is Rachel Ellis. I live at 7140 South Michigan Avenue, Chicago. My occupation is secretary.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. ELLIS. Yes.

Mr. ARENS. And you are represented by counsel?

Mrs. ELLIS. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. ARENS. Give us, if you please, ma'am, a word about your occupation.

Mrs. ELLIS. I am employed as a secretary to the District Director of the United Packinghouse Workers, District 1.

Mr. ARENS. And who is your immediate superior?

Mrs. ELLIS. That is Mr. Charles Hayes.

Mr. ARENS. That is the man who just left the stand?

Mrs. ELLIS. That is he.

Mr. ARENS. How long have you been so employed?

Mrs. ELLIS. I have been employed since March of 1956 in that capacity.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mrs. ELLIS. I was employed as a secretary at the office of Local 453, United Automobile Workers.

Mr. ARENS. Where?

Mrs. ELLIS. In Chicago.

Mr. ARENS. For how long?

Mrs. ELLIS. Possibly a year.

Mr. ARENS. What was your employment immediately prior to that?

Mrs. ELLIS. I was employed as manager of a printing establishment.

Mr. ARENS. Give us a word, please, about your education.

Mrs. ELLIS. I attended junior college in the city and the Art Institute in this city.

Mr. ARENS. Raise your voice, please, ma'am. We couldn't hear you.

Mrs. ELLIS. I attended the junior college and Art Institute in this city.

Mr. ARENS. Have you received any other training? Have you attended any other training schools?

Mrs. ELLIS. I have attended—would you repeat that question?

Mr. ARENS. Yes, ma'am. Have you received any other training, other than the formal education which you have just described?

Mrs. ELLIS. I decline to answer that question on the grounds that it may tend to incriminate me.

X Mr. ARENS. Do you know a man by the name of John Edward Cooke? NO LOC

Mrs. ELLIS. I do not know a man by that name.

Mr. ARENS. Do you know a man by the name of John Hackney?

Mrs. ELLIS. I know John Hackney.

Mr. ARENS. In what capacity have you known John Hackney?

Mrs. ELLIS. I have known him only as a trade union member.

Mr. ARENS. Have you known him in any other capacity?

Mrs. ELLIS. No, I have not known him in any other capacity.

Mr. ARENS. Mr. Hackney testified this morning that while he was a member of the Communist Party he knew you as a member of the Communist Party. Was he in error on that testimony or was he correct?

Mrs. ELLIS. I decline to answer that question on the basis that it may incriminate me.

Mr. ARENS. Have you ever been connected with the Chicago Committee of Negro Youth?

Mrs. ELLIS. I don't recall that.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mrs. ELLIS. I decline to answer that question on the grounds that it may incriminate me.

Mr. ARENS. Are you now a member of the Communist Party?

Mrs. ELLIS. I am not now a member of the Communist Party.

Mr. ARENS. Have you ever resigned technical membership in the Communist Party so that you could take an oath and deny membership in the Communist Party yet maintained yourself in the Communist operation?

Mrs. ELLIS. I decline to answer that question on the basis that it may incriminate me.

Mr. MOULDER. Were you a member of the Communist Party at any time since the passage of the Taft-Hartley Act?

Mrs. ELLIS. I decline to answer that question on the grounds it may tend to incriminate me.

Mr. ARENS. Have you ever signed a non-Communist affidavit?

Mrs. ELLIS. I have never signed a non-Communist affidavit.

Mr. ARENS. Have you any time in the last two years been a member of the Communist Party?

Mrs. ELLIS. Would you repeat the question?

Mr. ARENS. Have you any time in the course of the last two years been a member of the Communist Party?

Mrs. ELLIS. I decline to answer that.

Mr. ARENS. Have you at any time in the course of the last year and a half been a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. ELLIS. I have not.

Mr. ARENS. Have you any time in the course of the last fourteen months been a member of the Communist Party?

Mrs. ELLIS. I have not.

Mr. ARENS. Have you any time in the course of the last sixteen months been a member of the Communist Party?

Mrs. ELLIS. I have not.

Mr. ARENS. Have you any time in the course of the last seventeen months been a member of the Communist Party?

Mrs. ELLIS. I have not.

Mr. ARENS. Are you now against the Communist Party?

Mrs. ELLIS. I decline to answer that question on the grounds that it may tend to incriminate me.

(Representative Moulder reentered the room.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

(Witness excused.)

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Leo Turner.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TURNER. I do. H.C.V.A. 5/6/59

TESTIMONY OF LEO TURNER, ACCOMPANIED BY COUNSEL,

BELFORD V. LAWSON, JR. 6/24/13 Aberdeen, Wash.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. TURNER. Leo Turner, 5342 South Kimbark, Chicago, ^{ILL.} field representative of the United Packinghouse Workers of America.

Mr. ARENS. You are appearing today, Mr. Turner, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. TURNER. That is correct.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington.

Mr. ARENS. Mr. Turner, where are you employed?

Spain
Minn.

Mr. TURNER. I am employed in District 1 of the United Packinghouse Workers.

Mr. ARENS. In what capacity?

Mr. TURNER. As a field representative.

Mr. ARENS. How long have you been so employed?

Mr. TURNER. I was hired by Mr. A. T. Stephens on November 8, 1949.

Mr. ARENS. Where and when were you born?

Mr. TURNER. June 24, 1913, Aberdeen, Wash.

Mr. ARENS. Give us a word, please, about your formal education.

Mr. TURNER. I left high school in Aurora, Minn., at the end of 3 years of high school.

Mr. ARENS. Did that complete your formal education?

Mr. TURNER. That is correct.

Mr. ARENS. And then give us the principal occupations you have had since you completed your formal education.

Mr. TURNER. Well, I got out of high school into the Hoover depression, and I would say that most of the time prior to going to work for the unions I was working on WPA.

Mr. ARENS. Did you have any other principal activity in addition to your WPA work until you went to work for the unions?

Mr. TURNER. No, sir.

Mr. ARENS. When did you complete your formal education in high school?

Mr. TURNER. 1931.

Mr. ARENS. Did you shortly thereafter become educational director of the Young Communist League?

Mr. TURNER. I decline to answer that question on the ground that it might tend to incriminate me.

Mr. ARENS. I lay before you now a photostatic reproduction of the Communist Daily Worker of July 28, 1936, in which an article appears entitled "Youth to Aid C.P. Ticket in Elections." It tells about a number of people who are in official capacity with the Young Communist League, including Leo Turner, educational director of the league. I now display this document to you and ask you to look at it and tell us whether or not that refreshes your recollection, and whether or not you are the Leo Turner referred to in the Communist publication, the Daily Worker, as educational director of the Young Communist League.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer on the ground it might tend to incriminate me.

(Document marked "Turner Exhibit No. 1" and retained in committee files.)

Mr. ARENS. I display to you a photostatic reproduction of the Communist Daily Worker of New York, May 25, 1936; in which an article appears, "Youth March May 30 in Fight Against War," signed by Leo Turner. Would you kindly look at this article and tell us while you are under oath whether or not you are the Leo Turner who authored that article appearing in the Daily Worker?

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer on the grounds that it might tend to incriminate me.

(Document marked "Turner Exhibit No. 2," and retained in committee files.)

Mr. ARENS. I display to you a photostatic copy of an article appearing in the Sunday Worker, January 25, 1942, in which a number of persons are petitioning for the release of the then secretary of the Communist Party, Earl Browder, including a man listed as Leo Turner of Oakland, Calif. Kindly look at this document as I display it to you and tell this committee while you are under oath whether or not you are the Leo Turner that participated in that enterprise.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer on the grounds that it might tend to incriminate me.

(Document marked "Turner Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Did you participate in the picketing on behalf of the 11 Communists who were convicted before Judge Medina in New York City?

(The witness conferred with his counsel.)

Mr. TURNER. I did not.

Mr. ARENS. Did you lend your name and your position on behalf of the intervention for the 11 Communist leaders?

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer that question on the ground it might tend to incriminate me.

Mr. ARENS. I lay before you now a photostatic reproduction of the Communist Daily Worker of October 18, 1949 respecting the intervention by a number of people on behalf of the 11 Communists who were convicted in New York City, including, according to this listing in the Daily Worker, one Leo Turner. Kindly look at this article and tell this committee whether or not it refreshes your recollection, and whether or not you are the Leo Turner who was listed there and, if so, if you consciously made your name available for that enterprise.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer on the grounds that it might tend to incriminate me.

(Document marked "Turner Exhibit No. 4," and retained in committee files.)

Mr. ARENS. Mr. Turner, what is the principal law on the statute books of the U.S. Government against Communists? Do you know?

Mr. TURNER. I believe it is the Smith Act.

Mr. ARENS. What have you done, can you tell us, to cause the repeal of the Smith Act?

Mr. TURNER. I don't know.

Mr. ARENS. I lay before you now, if you please, a photostatic reproduction of the Communist Daily People's World, January 2, 1952, in which a number of persons are listed as participants in an assembly of delegates for the repeal of the Smith Act, including Leo Turner,

identified in this publication as field representative of the CIO United Packinghouse Workers. Kindly look at this document and tell this committee while you are under oath whether or not that refreshes your recollection and whether or not you consciously participated in that enterprise.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer on the grounds that it might tend to incriminate me.

(Document marked "Turner Exhibit No. 5," and retained in committee files.)

Mr. ARENS. Do you know a man by the name of Lee ~~Lundgren~~?

Mr. TURNER. Yes, I do.

Mr. ARENS. In what capacity have you known him?

Mr. TURNER. I knew him when I worked with the United Electrical, Radio and Machine Workers.

Mr. ARENS. Have you known him in any other capacity?

Mr. TURNER. I believe later he became a representative of the International Union of Electrical, Radio and Machine Workers.

Mr. ARENS. And have you known him in any other capacity?

Mr. TURNER. I don't believe so.

Mr. ARENS. Do you know a man by the name of Hackney?

Mr. TURNER. Very slightly.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

Mr. TURNER. I know him so casually that the testimony he gave here yesterday was false with respect to some of my activities.

Mr. ARENS. Was his testimony correct when he said he knew you as a member of the Communist Party?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. TURNER. I am not a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. Have you ever been a member of the Communist Party at any time since the passage of the Taft-Hartley Act requiring that certain union officials must sign a non-Communist affidavit?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. Did you resign technical membership in the Communist Party but maintain yourself in the Communist operation so that you could take an oath and truthfully deny membership in the formal entity known as the Communist Party?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. Are you now against the Communist Party?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. TURNER. Mr. Chairman, I would like to make a statement. A statement made here yesterday that I was in Spain by one of the

witnesses that was produced here. I want to categorically state under oath that that statement was false.

Mr. ARENS. Is that the only part of the testimony with respect to yourself that was false?

Mr. TURNER. I decline to answer that on the grounds that it might tend to incriminate me.

Mr. ARENS. Was the rest of the testimony true when you were identified as a member of the conspiratorial apparatus known as the Communist Party?

Mr. TURNER. I decline to answer that on the grounds it might tend to incriminate me.

Mr. ARENS. Do you presently have information which you can supply the United States Government via this committee respecting the techniques and operations of this conspiratorial organization designed to overthrow the Government of the United States known as the Communist Party?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. MOULDER. I want to announce for the record that it will be necessary for me to return to Washington and I will be unable to be present for the rest of the hearings. Mr. Willis is designated chairman to preside at the conduct of the hearings.

The committee will recess until 2 p.m.

(Whereupon, at 11:50 a.m., the hearing was recessed until 2 p.m. of the same day.)

AFTERNOON SESSION, WEDNESDAY, MAY 6, 1959

Mr. WILLIS. The subcommittee will please come to order.

(Subcommittee members present: Representatives Willis, presiding, and Johansen.)

Mr. WILLIS. Counsel, please call your next witness.

Mr. ARENS. Mr. Chairman, may the record show, if you please, sir, the presence of yourself as chairman of the subcommittee and the presence of the gentleman from Michigan, Mr. Johansen, constituting a quorum of the subcommittee?

Mr. WILLIS. That is correct.

Mr. ARENS. Mr. Dency, Albert P. Dency, please come forward.

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DENCY. I do.

TESTIMONY OF ALBERT P. DENCY

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. DENCY. My name is Albert Dency. I live at 2453 North Tripp Avenue, Chicago, Ill.

Mr. ARENS. And your occupation?

Mr. DENCY. My occupation is tool and die maker.

Mr. ARENS. Where are you employed?

Mr. DENCY. Mr. Arens, I will be very pleased to answer this question. However, I would like to be assured that if I do answer and give you the name of the company, that I will not be fired from the place where I am employed at present.

Mr. ARENS. You are appearing today in response to a subpoena that was served upon you by this committee?

Mr. DENCY. Yes, sir.

Mr. ARENS. You are not represented by counsel apparently.

Mr. DENCY. No, I am not.

Mr. ARENS. You know you have the privilege of counsel.

Mr. DENCY. I know I have, but I don't have \$500 to pay for the counsel.

Mr. ARENS. Now, Mr. Dency, where and when were you born?

Mr. DENCY. I was born February 15, 1921, in Yugoslavia.

Mr. ARENS. When did you come to the United States?

Mr. DENCY. I came to the United States on December 7, 1937.

Mr. ARENS. Are you a naturalized citizen?

Mr. DENCY. Yes, sir.

Mr. ARENS. Where and when were you naturalized?

Mr. DENCY. I was naturalized in Waukegan, Ill., approximately early part of 1943.

Mr. ARENS. Have you ever used any name other than the name Albert P. Dency, D-e-n-c-y?

Mr. DENCY. Yes, sir, I did; my name originally spelled, Z-d-e-n-c-a-j.

Mr. ARENS. Give us a word, please, about your education.

Mr. DENCY. I have very little formal education. I attended Catholic seminary school for 2 years in Europe. And here I have attended night school for a while at University of Chicago and also Lake Forest.

Mr. ARENS. Is that the only education you have had?

Mr. DENCY. It is the only education in the formal sense.

Mr. ARENS. Have you received any training in any training schools of any kind?

Mr. DENCY. I have attended Abraham Lincoln School.

Mr. ARENS. Where was that?

Mr. DENCY. Extension courses I attended at Waukegan, Ill.

Mr. ARENS. When did you live in Waukegan, Ill., over what period of time?

Mr. DENCY. I did not live in Waukegan except for a very short period of time. I lived in North Chicago, which is a part or at least close by Waukegan.

Mr. ARENS. Does the figure E-88239 register with your mind on any score, E-88239?

Mr. DENCY. Yes.

Mr. ARENS. What was that?

Mr. DENCY. That is my—I think that is my number, union card number.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. DENCY. No, I have never been a member of the Communist Party.

Mr. ARENS. Have you ever been knowingly under discipline of the Communist Party?

Mr. DENCY. I have not been knowingly under discipline of the Communist Party.

Mr. ARENS. It is the information of this committee that you were a member of the Communist Party in Waukegan, Ill., that you were chairman of the Waukegan Communist Party Club in 1949, 1950, and 1951. If that is in error, please set the record straight while you are under oath.

Mr. DENCY. I have been the chairman of the American Veterans Committee in Waukegan, a chapter of American Veterans Committee. As far as the time that you have given I have not lived in Waukegan for the year 1951 at all.

Mr. ARENS. Do you say now categorically without equivocation, that you have never been a member of the Communist Party?

Mr. DENCY. Yes, sir, I so state.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. We appreciate your appearance.

Mr. DENCY. May I make a statement, if I possibly can?

Mr. WILLIS. Well, if you make it short.

Mr. DENCY. I will make it very short, Mr. Chairman.

Mr. WILLIS. Let me say this. You are not represented by counsel, and therefore I want to be as liberal with you as possible. But please do not make an extended statement.

Mr. DENCY. I will not make any derogatory statement at all. However, I want to point out to one fact, that I as a chairman of the committee to lift suspension of Local 113, which is the rank and file union in my union, feel that by being called before this committee, this committee willing or unwilling, I do not know, has served a purpose contrary to the objectives for which the membership of Local 113 or at least a very great segment is striving for, namely to lift suspension of their organization. And in view of that fact, I feel that the committee—

Mr. WILLIS. I would not enter into that field if I were you. It will not do you any good and counsel will perhaps have to reexamine you and if I were you I would not pursue that. That is my advice, my sincere advice.

Mr. DENCY. Thank you.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Francis William McBain.

Please come forward. Please remain standing while the chairman administers an oath.

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McBAIN. I do. *H.C.U.A. 5/6/59*

**TESTIMONY OF FRANCIS WILLIAM McBAIN, ACCOMPANIED BY
COUNSEL, PEARL M. HART**

b. 7/3/05, Gettineau, N.D.
Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. McBAIN. My name is Francis McBain. I live at 3116 West Montrose Avenue, Chicago, I am a model maker by trade.

ILL.

Mr. ARENS. Where are you employed?

Mr. MCBAIN. Well, I would rather not state where I am employed.

Mr. ARENS. We will hold that for the time being.

Mr. MCBAIN. I would also—

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. MCBAIN. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. MCBAIN. That is correct.

Mr. ARENS. Counsel, kindly identify yourself.

Mrs. HART. Pearl M. Hart, 30 North La Salle Street, Chicago 2, Ill.

Mr. ARENS. Mr. McBain, where and when were you born?

Mr. MCBAIN. Could I — I would like to raise a question before— I have appeared before this committee before, seven years ago. I requested my lawyer to draw up a letter to send to the chairman of this committee, Honorable Mr. Walter, in regard to me being publicly exposed to this committee again. I would like the privilege of reading this letter into the record, if I could. I think it is very—

Mr. ARENS. The rules of the committee provide you must submit any written statement of any kind in advance.

Mr. WILLIS. You may submit it to counsel, and we will examine it and give it consideration. We can't permit you to read a letter we know nothing about. Submit it to counsel. It will serve the same purpose.

Mr. MCBAIN. Could I ask if Mr. Walter has received this letter?

Mr. ARENS. Mr. Walter is not here.

Mr. MCBAIN. I see.

Mr. ARENS. Now kindly tell us where and when you were born.

Mr. MCBAIN. I was born in Bottineau, N.D., July 31, 1905.

Mr. ARENS. Give us a word about your education.

(The witness conferred with his counsel.)

Mr. MCBAIN. You want my—

Mr. ARENS. Just a word about your education.

Mr. MCBAIN. I have 4 years of high school, 2 years of engineering.

Mr. ARENS. And when did you complete your formal education and where?

Mr. MCBAIN. One year I went to North Dakota State Engineering, that was 1923 and 1924. Then in the meantime there was a 2-year college in my hometown which was the qualified State college. And I went there 1 year in 1930, I believe, and finished a 2-year course which was like—

(The witness conferred with his counsel.)

Mr. MCBAIN. About a junior degree in engineering AA or something.

Mr. ARENS. What year was that, please?

Mr. MCBAIN. I think that was 1930, within the year of that.

Mr. ARENS. Had you received any other training or schooling other than the training or schooling which you have just recited?

Mr. MCBAIN. Yes, I have. I put 33 months in the Navy. I was an airplane mechanic on a flattop. I went through 4 months' training, 16 weeks here in Chicago at an advanced airplane school where I

studied complete, all-around airplane mechanic training, and from there I was assigned to a squadron and went into the Pacific.

Mr. ARENS. Were you discharged from the Navy then?

Mr. McBAIN. I was discharged right after the war in 1945.

Mr. ARENS. Give us the principal employments you have had since you were discharged from the Navy.

Mr. McBAIN. Well, I am trying to think back. One thing I was questioned—

(The witness conferred with his counsel.)

Mr. McBAIN. I would like to raise a question on the fact that it is quite a while ago and this—

Mr. ARENS. Just the principal employments that you recollect.

Mr. McBAIN. I was going to make the request that since this is already in the record the last time I appeared before this committee I was a little fresh in my memory then. It was 7 years ago.

Mr. WILLIS. Just do the best you can.

Mr. McBAIN. To repeat it?

Mr. ARENS. Let us go back and get the more current ones then. How long have you been employed in your present employment?

Mr. McBAIN. About, I would say, 5 months, I suppose.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. McBAIN. This is going to be involved. I have to stop and think because since I was before this committee 7 years ago I have been blacklisted by the results, the publicity in the papers was used as a blacklist against me every time I got a job. All you have to do is refer me to what it said in the newspapers in 1952 and for me to start back and remember all the places I have worked in the lapsed years, it is impossible.

Mr. ARENS. Do you recall just the first place you worked prior to your present employment?

Mr. McBAIN. Let me think. I believe it was Models for Industry, I believe.

Mr. ARENS. How long did you work there?

Mr. McBAIN. Probably 6 or 7 months. I am not so sure.

Mr. ARENS. Are you a member of the Communist Party?

Mr. McBAIN. First I would like to raise some things.

Mr. ARENS. Would you kindly answer the question? Are you a member of the Communist Party?

Mr. McBAIN. I just want to raise the point first. I have no idea of what this committee has in mind. I have nothing to do with the packing workers. I understand your position on the packing workers.

Mr. ARENS. I would be glad to explain that to you.

Mr. McBAIN. I would like to know.

Mr. ARENS. I would very gladly explain it to you. You are going to answer the question, I take it. The basis, the reason I am going into this question is this, sir: The Committee on Un-American Activities has a double mandate from the Congress of the United States. One is to maintain a surveillance, a supervision as it were, over the administration and operation of the Internal Security Act, the Communist Control Act, and all security laws within the purview of this committee. In order for this committee to do that it must find out

who are the Communists, what are the Communists doing, where are the Communists engaged, what are the Communist techniques, what are their strategies, what are their tactics.

The second general jurisdiction of this committee is to constantly develop recommendations, proposals to amend and change the existing security laws so that we can cope with this conspiracy so far as it is legislatively possible.

We have summoned you before this committee because on the basis of confidential information we believe that you have current information respecting the techniques, the strategies, the tactics, the operation of this conspiratorial force which is sweeping the world and which threatens security and liberty everywhere, known as the Communist Party.

Now, with that as a point of departure in our discussion, kindly tell us, are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. McBAIN. First, I would like to know if this question—I think that I understand your position, I have heard that before. That hasn't specificity to my notion clear enough if I am going to answer this question—

Mr. ARENS. If I may go one step further, while you are under oath tell us—

Mr. McBAIN. Let me finish my sentence.

Mr. ARENS. I solicit from you now, as to whether or not you are a member of the Communist Party, and if you tell us, "Yes, I am now a member of the Communist Party," then I intend to pursue that and ask you about present techniques, present strategies, present tactics of the Communist Party, so that this subcommittee can return to Washington with this information and appraise it along with other information which we are gathering from the four corners of this Nation, with the end in view of appraising proposed changes in the security laws in order to cope with this conspiratorial force, known as the Communist Party.

Now for the third time, sir, would you kindly tell this committee, while you are under oath, are you now a member of the Communist Party?

Mr. McBAIN. My answers to questions certainly should be based in general on things now—

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the last outstanding principal question, namely, are you now a member of the Communist Party.

Mr. WILLIS. Yes. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. McBAIN. I have answered that.

Mr. ARENS. Sir, you are reading from a prepared statement?

Mr. McBAIN. That is correct.

Mr. ARENS. Tell us who prepared that statement.

Mr. McBAIN. This was prepared—

Mr. ARENS. Was that statement prepared by any person known by you to be a member of the Communist Party?

Mr. McBAIN. Look, I have no way to know whether my lawyer is a member of the Communist Party or not, and I am not going to be intimidated trying to Red-bait my lawyer. I asked my lawyer, "Wait a minute. I don't like getting pushed around here." I have a right

to have my lawyer tell me the standard answers. I am not a lawyer, I don't—

Mr. ARENS. You are reading standard answers I take it.

Mr. McBAIN. That is correct.

Mr. ARENS. That was prepared by your lawyer.

Mr. McBAIN. That is correct.

Mr. ARENS. Go right ahead and read it.

(The witness conferred with his lawyer.)

Mr. McBAIN. These are constitutional answers. Now this I think that I—

Mr. ARENS. Go ahead and read, if you please.

Mr. McBAIN. Read this. I want it for the record.

Mr. ARENS. Go right ahead and read them, please.

Mr. McBAIN. What I stated before, I answered these questions before in 1952. So that the requirement to answer the same again now can serve no useful purpose, and I regard it merely as an effort on the part of the committee to expose me for the purpose of exposure. I therefore refuse to answer the questions for the following constitutional reasons:

(a) I am unenlightened as to the subject to which this question is pertinent. I therefore am unable to answer it because it is not pertinent to any issue which your committee has been directed to inquire into.

I also decline to answer on the grounds of the first amendment to the Constitution of the United States which guarantees me the freedom of speech that I can talk to who I want, it wasn't meant that I talk to myself; the freedom of press, to read what I want and what should be printed; and so assemble and meet people without being pried into. That is my personal affair guaranteed by this first amendment. Now I resent this committee overriding the first amendment.

(c) For the reason that the inquiry infers an encroachment upon the judicial power of the United States.

And for the reason that the question constitutes an unreasonable search under the fourth amendment. You have me out in public probing into my brain. I don't think you have the authority to dig into what I am thinking about.

(e) For the further reason that the question denies me due process under the fifth amendment to the Constitution in that it deprives me of property without due process of law. I lost a day's pay to come down here. I have been blacklisted, blackballed by this committee, and this is my living. This sort of thing is depriving me of my property, my paycheck, the right to make a living, support my family.

For the further reason that under the fifth amendment to the Constitution I have been twice placed in jeopardy, by reason of the fact that I appeared before this committee resulting in the loss of my jobs over and over again, directly tied up with the blacklisting of me; my picture all over the newspapers so I can be blackballed and blacklisted, that I have a problem to support my family.

(The witness conferred with his counsel.)

Mr. McBAIN. And last and finally, the further reason is that under the fifth amendment to the Constitution of the United States this unauthorized committee has absolutely no power to make me or to force me to testify in any way against myself.

Mr. ARENS. Do you honestly apprehend, sir, that if you gave us a truthful answer while you are now under oath as to whether or not you are this instant a member of the Communist Party, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. McBAIN. I think I made my statement.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

(The witness conferred with his counsel.)

Mr. WILLIS. That is a perfectly good request because it is a test of your sincerity in the invocation of the plea, so I order you to answer the question.

(The witness conferred with his counsel.)

Mr. McBAIN. I would like to have him repeat that question, please.

Mr. ARENS. Do you honestly apprehend, sir, that if you told this committee truthfully while you are under oath whether or not you are this instant a member of the Communist Party, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. McBAIN. I don't believe this committee has the right to make such a test against me but in answering this I use the same answer I have before. If you want me to read this or if you want to show it in the record that this is my answer, either way it is the best, but I challenge the committee the right to make any test on me, the authority.

(The witness conferred with his counsel.)

Mr. McBAIN. And I am refusing to answer for the same reasons as I heretofore—

Mr. ARENS. Do you presently have knowledge respecting the current operation of the conspiratorial force, known as the Communist Party, in the Chicago area?

(The witness conferred with his counsel.)

Mr. ARENS. Would you kindly answer the question?

Mr. McBAIN. This committee is again trying to probe into my mind, what is in my mind, and so forth, which as I stated before—

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. You are excused. And you may claim your voucher, and you are so reminded.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Edwin Alexander.

Kindly come forward, Mr. Alexander.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ALEXANDER. I do.

Mr. Chairman, my counsel has asked me, Mr. Chairman, that you furnish him with a copy of the statement of purposes of the committee and the rules of the committee, since he was not present yesterday when they were read.

Mr. ARENS. We will make them available in just a second as soon as we dig them out here, after you have been sworn.

Mr. ALEXANDER. Yes.

Mr. Chairman, may I ask one other thing in regard to the taking of pictures during the conduct of testimony?

Mr. WILLIS. Yes. If you object to it, then it will be stopped right now.

Mr. ALEXANDER. Yes, I do. Thank you very much.

H.C.D.A. 5/6/59
TESTIMONY OF EDWIN A. ALEXANDER, ACCOMPANIED BY COUNSEL,
WILLARD J. LASSERS AND F. RAYMOND MARKS, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. ALEXANDER. My name is Edwin A. Alexander. I live at 2211 East 97th Street, Chicago, Ill. My occupation, I am a member of the professional staff of a philanthropic social work agency, the Jewish Federation, Metropolitan Chicago. I am responsible for raising the deficit funds and the capital building funds for a group of some 11 social agencies in Chicago which I consider to be very worthwhile organizations.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the Committee on Un-American Activities?

Mr. ALEXANDER. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. ALEXANDER. That is correct.

Mr. ARENS. Counsel, would you kindly identify yourself?

Mr. LASSERS. My name is Willard J. Lassers, of Chicago, Ill.

Mr. MARKS. F. Raymond Marks, Jr., of Chicago, Ill.

Mr. ARENS. Where and when were you born?

Mr. ALEXANDER. On June 25, 1917, Bronx, New York City, N.Y.

Mr. ARENS. Give us, please, a word about your education.

Mr. ALEXANDER. I went to high school, DeWitt Clinton High School, New York City, and attended the College of the City of New York.

Mr. ARENS. When did you graduate from the College of the City of New York?

Mr. ALEXANDER. I did not graduate from the College of the City of New York.

Mr. ARENS. When did you complete your education there?

Mr. ALEXANDER. Approximately 1933 or 1934.

Mr. ARENS. Did that complete your formal education?

Mr. ALEXANDER. My formal education?

Mr. ARENS. Yes.

Mr. ALEXANDER. Well, it all depends what sense you want to take that in. I attended the Allied Technical Institute in Chicago about 1949, studying machinist trade and this last, just recently within the past few months I was a student at Roosevelt College extension program creative writing workshop.

Mr. ARENS. How long have you been employed at your present place of employment?

Mr. ALEXANDER. Since January 13, 1958.

Mr. ARENS. What was your employment immediately prior to your present employment?

*Calif.
Wash.
Oregon
China
Burma
India*

Mr. ALEXANDER. Immediately prior to that I have been unemployed for close to a month. Before that I was engaged in the tool and die makers trade. The last company I worked for specifically was the Zeitergraf Co., for which I worked until 3 days before Christmas 1958, at which time I was laid off because the company went out of business.

Mr. ARENS. Were you living in New York at the time that you obtained your degree there—excuse me, completed your education there, what training you did receive?

Mr. ALEXANDER. At the College of the City of New York?

Mr. ARENS. Yes.

Mr. ALEXANDER. Yes.

Mr. ARENS. Where did you next live, where was your next place of residence?

Mr. ALEXANDER. City of Chicago.

Mr. ARENS. And over what period of time were you then in continuous residence in the city of Chicago?

Mr. ALEXANDER. Chicago? That was so long ago that it would be hard—I wouldn't like to be held to its accuracy. I would estimate approximately 6 months.

Mr. ARENS. Then where did you go?

Mr. ALEXANDER. Los Angeles.

Mr. ARENS. How long were you there?

Mr. ALEXANDER. Again approximately 6 months.

Mr. ARENS. What occasioned your trip to Los Angeles?

Mr. ALEXANDER. My job from 1934 approximately, the time I left City College, after a few months, later I was employed as a field organizer, as a regional organizer, first for the National Student League and then for the American Student League. This required that my first area of activity was Chicago, where I went, and then I was sent by the national committee of that organization to the Los Angeles area to be the California representative.

Mr. ARENS. About what year are we in now?

Mr. ALEXANDER. What is that?

Mr. ARENS. About what year are we in now?

Mr. ALEXANDER. Well—

Mr. ARENS. Roughly speaking?

Mr. ALEXANDER. Roughly speaking 1934-35.

Mr. ARENS. All right, sir. What was your next employment?

Mr. MARKS. Counsel, do you mind if he smokes?

Mr. ARENS. It is prohibited in the courtroom.

What was your next employment?

Mr. ALEXANDER. My next employment after that was as a full-time official for the district office of the Young Communist League of California.

Mr. ARENS. Over what period of time did you serve in the district office of the Young Communist League?

Mr. ALEXANDER. There was one interruption. I would say again it is difficult to say exact dates, approximately 1935 to about somewhere in the early 1940's. During that period there was one interruption. I was for a period of approximately 2 years out of that period, I was a restaurant worker in the city of San Francisco, and I was elected to two full-time posts in the Restaurant Workers' Union of the AFL. I served as assistant secretary of the Miscellaneous Employees' Union,

the Hotel Restaurant Employees' International Alliance, and I served as business agent of the Hotel Restaurant Employees' International Alliance and Miscellaneous Employees' Union in San Francisco for a short period during that time.

Mr. ARENS. Would you tell us the specific title you had with the Young Communist League, please?

Mr. ALEXANDER. I believe while I was in California that I had two titles. One was a district educational director. One was a district organizational director.

Mr. ARENS. When did you become disassociated from the full-time work with the Young Communist League?

Mr. ALEXANDER. Again I couldn't be certain of the exact date. I moved from California—

Mr. ARENS. Was it in the early 1940's?

Mr. ALEXANDER. From the Young Communist League?

Mr. ARENS. Yes.

Mr. ALEXANDER. Yes. I graduated from the Young Communist League and became a full-time official in the Communist Party.

Mr. ARENS. When did you become a full-time official in the Communist Party, just roughly speaking?

Mr. ALEXANDER. Very roughly in the early 1940's.

Mr. ARENS. Tell us, when did you join the Communist Party?

Mr. ALEXANDER. I believe I joined the Communist Party in approximately 1934 or 1935. I was a member of the Young Communist League for a short period without being a member of the Communist Party and then joined the Communist Party.

Mr. ARENS. Tell us how long you maintained your membership in the Communist Party.

Mr. ALEXANDER. I maintained my membership in the Communist Party from approximately 1934 until 1948.

Mr. ARENS. May I inquire, have you ever made available to a congressional committee or any agency of the Government, facts respecting your membership in the Communist Party?

Mr. ALEXANDER. I have never been asked by any Government agency these facts before. This is the first occasion at which I have been asked them, and I gladly volunteered them.

Mr. Chairman, may I state something surrounding the circumstances of withdrawing from the Communist Party in 1948?

Mr. ARENS. I expect to take you over the whole ground so we can take in a uniform pattern here which I think would be easier for you and be more clear for us, if you please.

Mr. ALEXANDER. Hope you will. Very relevant why I—

Mr. ARENS. Yes, sir. Very delighted to pursue this with you.

Now, tell us where and when you joined the Communist Party and in your own words, and I will try to restrain myself until I have a particular question to fill in, where and when you joined the Communist Party and in your own words the various posts that you held in the Communist Party. Then we will come back and get additional information.

Mr. ALEXANDER. All right.

Mr. ARENS. I want to say now, so there will be no sense of us being at all other than completely open and aboveboard—

Mr. ALEXANDER. Right.

Mr. ARENS. We did not, until you just said so, know that you were going to tell this committee of your Communist career. We did know of your Communist career. We did not know, had no basis on which to suspect that you would tell us of your Communist career.

Now, proceed at your own pace, sir, to tell us where and when you joined the Communist Party and the various posts you held in the Communist Party up until you disassociated yourself from the Communist Party until 1948.

Mr. ALEXANDER. I did not disassociate myself from the Communist Party in 1948.

Mr. ARENS. We will get up to that in a little while.

Mr. ALEXANDER. I joined the Communist Party in approximately 1934 or 1935. I have already detailed to you the posts I held in the Young Communist League. I was requested to go to Seattle, Wash., by the national committee of the Young Communist League, serve as district organizer of the YCL for the States of Washington, Oregon in the early 1940's. This I did. I accepted it. I accepted the request and went.

For a short period I was requested by the national committee of the Young Communist League to return to New York City and serve as assistant editor of the Young Communist League national newspaper, which I did. The Young Communist League at this point was dissolved itself by a national convention. I can't remember the exact year. But at this time I returned to the State of Washington, the city of Seattle, which I then considered my home. And I assumed a full-time post in the Communist Party.

Mr. ARENS. May I interrupt just there—

Mr. ALEXANDER. Yes, sir.

Mr. ARENS. To ask you a question. Upon the dissolution of the Young Communist League—

Mr. ALEXANDER. Right.

Mr. ARENS. There was formerly an entity known as either the League for Industrial—it was the American Youth for Democracy, was it not, as a successor organization?

Mr. ALEXANDER. In one sense, in another sense it was not completely a successor organization. In one sense it was. In one sense it was not.

Mr. ARENS. The AYD, American Youth for Democracy, was controlled by the Communist Party, was it not, by Communists?

Mr. ALEXANDER. Well, I graduated from the youth movement at that point. I would say that I think the Communists themselves greatly regretted that the American Youth for Democracy was controlled by Communists. They felt that the need had passed for a specifically Communist youth organization, and this is why they dissolved this Young Communist League in the hope that a non-Communist youth organization could be established. However—

Mr. WILLIS. As a front actually?

Mr. ALEXANDER. Well, some people would prefer to call it that. I don't think they meant it in that sense at all. I think they meant that our country was in a serious degree of danger from Hitler at that time, and from internal fascism, and I think they wanted to create—no matter how much I am opposed to the Communist Party today, I want to be as fair and objective about the thing as I can. I think

they wanted at that time to create a youth movement which was genuinely opposed to fascism and which would extend far beyond the Communists.

They felt that the Young Communist League had the limitation that in order to be a member of it you would have to subscribe to the principles of communism. They felt at that time that as the Communist Party continued to exist that any young person who wished to subscribe to the principles of communism could become a member of the Communist Party itself. And that the interests of preserving democracy and fighting against fascism in our country could better be served by a non-Communist anti-Fascist youth organization which, although it included Communists, would not be Communist in its program.

I don't think the Communists themselves believed that they succeeded very well, and they were constantly dissatisfied with the fact that far too great a proportion of the leadership, membership of the American Youth for Democracy, were continuing to be Communists. However, I don't have too much expert knowledge on that since at that time I left the youth movement and became an official of the Communist Party itself and was more concerned with adult problems.

Mr. ARENS. Now would you proceed with a chronology of your posts in the Communist Party itself, which, I understand, from what you said a few moments ago began about—

(The witness conferred with his counsel.)

Mr. ALEXANDER. Pardon me. Would you repeat that question?

Mr. ARENS. Proceed, if you please, with the chronology of the assignments and posts that you held in the Communist Party.

Mr. WILLIS. He had just entered.

Mr. ALEXANDER. Yes. I was getting to that. You got me off on the track of the AYD.

Mr. ARENS. Let us date this now so our record is clear. You left the Young Communist League.

Mr. ALEXANDER. In early 1940's.

Mr. ARENS. Entered the party?

Mr. ALEXANDER. Right.

Mr. ARENS. Now proceed there, please, sir.

Mr. ALEXANDER. I then returned to Seattle, Wash., and held several posts. I am not quite certain which posts I held before I entered the Army. I was either district organizational director or district educational director.

Mr. ARENS. Were you a paid functionary of the Communist Party?

Mr. ALEXANDER. Yes; I was.

Mr. ARENS. Who was your immediate superior?

Mr. ALEXANDER. Mr. Chairman, I would respectfully like to decline to answer that question for the following reasons: I am extremely willing to be cooperative and frank and candid about my own activities.

Mr. ARENS. We will come back to that in a little while. I would like to get your chronology on here. We will pursue that question with you a little while later. You are in the early 1940's and going into the Army.

Mr. ALEXANDER. I was either district educational director or district organizational secretary of the Communist Party on a full-time

basis until I was inducted into the Army in approximately May of 1944, I believe. As was the requirement in the Communist Party at that time I dropped my membership in the Communist Party in order to become a soldier in the United States Army. I served in the Army until May 1946.

Mr. ARENS. Just a word as to where you served, please.

Mr. ALEXANDER. Most of that time was spent overseas in the China, Burma, India theater. There I held the post of associate editor of the CBI Round-Up, which was the equivalent of Stars and Stripes for the CBI theater. It was the official Army paper in that theater.

Mr. ARENS. We have some exhibits of yours in the CBI Round-Up operation. I will not pursue them now except to ask you this question: You said you dropped your Communist Party membership?

Mr. ALEXANDER. Right, that—

Mr. ARENS. That was what was a technical disassociation only, was it not?

Mr. ALEXANDER. No; not altogether. Not altogether.

Mr. ARENS. Did you do it at the direction of the party?

Mr. ALEXANDER. Well, everything I do, I do voluntarily, I may agree with the party.

Mr. ARENS. Did the party direct you to do it?

Mr. ALEXANDER. I do what I think.

Mr. ARENS. It was party policy?

Mr. ALEXANDER. It was policy of the party, yes, because the party believed that the United States in fighting against fascism needed support, that the United States Army was an Army fighting against fascism. It had to be a unified military organization and that for one to be a member of the Communist Party within the Army, as lawyers, for example, sometimes say there might be a problem of allegiance or loyalties and so on. They felt someone in the United States Army ought to obey the discipline only of the United States Army.

Mr. ARENS. May I inquire just a word? I don't want to interrupt any more than necessary. This is an important theme from the standpoint of the fund of knowledge of this committee. During your service in the United States Army from 1944 to 1946, you still maintained yourself as a Marxist, did you not, even though you were disassociated from the formal organization known as the Communist Party?

Mr. ALEXANDER. At that time I was a Marxist, yes. I considered myself a Marxist.

Mr. ARENS. Would you pick up the theme in 1946 and go right on?

Mr. ALEXANDER. In 1946 I was honorably discharged from the Army.

Incidentally, when I entered the Army it was with the knowledge of the United States Army that I was an officer of the Communist Party and when I went into the Army my special number given to me by the Army was that of organizer because I told them that my occupation was Communist Party organizer.

Mr. ARENS. At that time they had a movement on in which they were commissioning people who were known as Communists in the United States Army; isn't that correct?

Mr. ALEXANDER. Yes. To the best of my knowledge.

Mr. ARENS. Pick up the 1946 date.

Mr. ALEXANDER. In 1946 I was discharged from the Army. I returned to Seattle, Wash., and I again assumed fulltime work in the district office of the Communist Party, either in the role of educational director or organizational director, I don't recall which. In 1948 I was publicly expelled by the district committee of the Communist Party of Washington on the grounds that I was an enemy of the party, an enemy of the working class, an accomplice of the FBI.

Mr. ARENS. The party made a mistake then, didn't it?

Mr. ALEXANDER. I think so. I think it has been disproven. Do you want me to go ahead, or ask me questions?

Mr. ARENS. I want you to hesitate there just a moment.

Mr. WILLIS. I am interested in that. You were not an undercover agent for the FBI?

Mr. ALEXANDER. Most assuredly not. I am not undercover about anything for anybody.

Mr. ARENS. In 1948 the Communist Party started becoming security conscious, was it not?

Mr. ALEXANDER. Yes.

Mr. ARENS. And they were expelling from the party anyone they suspected of being either an informant for the FBI or informant for this committee or informant for any Government agency; isn't that so?

Mr. ALEXANDER. Generally speaking.

Mr. ARENS. You were just caught in the net of the Communist Party itself; is that correct?

Mr. ALEXANDER. In a sense. It is a great deal more complex matter than that, Mr. Chairman.

Mr. ARENS. I do not want to get into too much detail in this particular session.

Mr. ALEXANDER. Neither do I.

Mr. ARENS. Then tell us what happened.

Mr. ALEXANDER. When I was expelled from the Communist Party, I moved to the city of Chicago and began to learn the trade of machinist and tool and die-maker. I worked at several shops, went to the Allied Institute to learn that trade. In 1950—pardon me, in approximately 1951 I was reaccepted into the party.

Mr. ARENS. Excuse me a minute. I want to get that date down here. In 1951 you got back into the party?

Mr. ALEXANDER. Approximately.

Mr. ARENS. Where was that, here?

Mr. ALEXANDER. In the city of Chicago.

Mr. ARENS. In what capacity?

Mr. ALEXANDER. May I ask, Mr. Chairman—there has been a great deal of prior newspaper publicity; the previous witness has testified and so on that it is a well-known public fact that there has been a great commotion in Local 113 in Tool and Die Makers Union in the last 3 years. While I am perfectly willing to be candid and honest about all my affiliations, sometimes the establishment of a half-truth, as any of you well know, can give the exact opposite appearance.

I want to testify either at this point or I would like to receive assurances that I can testify at some other point as to the exact and true relationship between the Communist Party and the rank and file caucus in Local 113.

Mr. ARENS. We will get into that in a little while.

Mr. ALEXANDER. Otherwise the simple parallelism of my Communist membership and my union membership would give exactly the opposite picture of the truth. Mr. Chairman, may I be assured I will have full opportunity of hearing that?

Mr. WILLIS. I am not so sure I followed what you have in mind. I am afraid you have things in mind that you didn't make clear to me.

Mr. ALEXANDER. Mr. Chairman.

Mr. ARENS. We will give you an opportunity to pursue anything you want to say here in a little while. We do and insist in a little while on some information we don't think you are going to want to give us.

Mr. ALEXANDER. All right. I may have some information which you do not know and may not wish to hear, I don't know. It will be—

Mr. ARENS. We have considerable. On the basis of what you said and basis of what I have before you now, the identification and rank we know you have held in the party and the instructorship you had in the Communist Party training schools and the like, leadership schools, we think you have considerable information.

I am just sorry you didn't make yourself available to us prior to this particular session if your attitude is one of thorough cooperation, because we feel you have considerable information that can be of service to this Government.

Now, in 1951 you are back in the party. Tell us now the rest of your career until you became completely disassociated.

Mr. ALEXANDER. I was in the Communist Party from approximately 1951 until 1956. During this period I was working.

Mr. ARENS. Where?

Mr. ALEXANDER. Here in Chicago. I was working in various shops, a good number of them as a first machinist and then a tool and die maker. To become a good tool and die maker you have to work in a lot of shops, believe me.

In 1956 I resigned from the Communist Party voluntarily. Again I might say about one step ahead of being expelled for the following reasons: I was a member of Local 113 at this time and a member of the Communist Party. In December of 1955 a rank-and-file movement began in Local 113 aimed at the very things which the United States Senate is now trying to embody in legislation, clean unionism, the abolition of undemocratic procedures in the local, the ending of corrupt financial practices on the part of the business agents, and so on. I voluntarily as an individual took part in this movement because I thought what now all the newspaper editorials urge, what now the Kennedy committee urges is correct.

Mr. WILLIS. What?

Mr. ALEXANDER. I will establish the connection very soon.

Mr. WILLIS. I just wanted to —

Mr. ALEXANDER. Why I left the Communist Party —

Mr. WILLIS. Local 113 is in what area of industry?

Mr. ALEXANDER. Local 113 tool and die makers union.

Mr. WILLIS. What?

Mr. ALEXANDER. The tool and die makers local of the International Association of Machinists.

Mr. WILLIS. Oh.

Mr. ALEXANDER. I became interested in this rank-and-file movement because I felt, and a great number of other people felt in the local, with the Kennedy committee, and what the Chicago newspapers now say editorially is right, that if labor is going to avoid crippling legislation it is up to the membership of the unions to take matters into their own hands in a democratic fashion and clean house. The rank and file movement in this union did this. So effective was the exposure to some of the practices of the business agents that all the business agents of the local voluntarily resigned and left Chicago. I participated in this rank-and-file movement. I was never a leader of it. I wasn't the very steady and consistent member of it, but because I participated in this rank-and-file movement, which has been made out by somebody, somewhere, sometime, to be an alleged Communist subversive plot, seizure of power in the union, which it most emphatically was not, because I participated in this rank-and-file movement, the club of the Communist Party to which I belonged issued, forbade me or any other Communist to participate in this rank-and-file movement.

The Communist Party then put me on suspension and said that if you participate in this rank-and-file movement any longer as you have been doing, you will be expelled from the Communist Party.

Mr. ARENS. For how long were you on suspension?

Mr. ALEXANDER. Oh, I don't think I was on suspension for more than 5 minutes.

Mr. ARENS. Go right ahead.

Mr. ALEXANDER. As soon as that happened my mind about the Communist Party was quite well made up. This was just about the time that events in Hungary were transpiring and so on. By now things were quite clear. I quit the Communist Party because had I stayed in I would have been expelled from the Communist Party for taking part in this honest unionism, clean-up unionism, rank-and-file movement.

To me there was a clear conflict of interest there. The Communist Party branch to which I belonged, I think, by this time was so weak and so impotent and had become so dogmatic and so removed from the membership of the union, that they took what I think was a very mistaken position. They took the position that Al Hayes represented the best section of the labor movement; that there was an internal political struggle going on in the labor movement.

Mr. ARENS. This committee is not interested in the internal struggles of any particular labor organization. We are interested solely and exclusively in Communists, Communist activities, the Communist Party, the Communist conspiracy, and the like.

Mr. ALEXANDER. I am trying to establish simply by this testimony that the rank-and-file caucus movement in Local 113 was not, as has been alleged, a part of the Communist conspiracy at all. Quite the contrary, I was going to be expelled from the Communist Party because I participated in it.

Mr. ARENS. You were expelled in 1956?

Mr. ALEXANDER. I was not expelled. I resigned before I could be expelled, let's put it that way.

Mr. ARENS. When did your connection with the Communist Party terminate?

Mr. ALEXANDER. 1956.

Mr. ARENS. Did you participate in Communist Party activities after 1956?

Mr. ALEXANDER. No.

Mr. ARENS. You are confident of that?

Mr. ALEXANDER. I did not. I did not. I attended many Socialist affairs for 6 months or a year after leaving the Communist Party. I still was hopeful that a leftwing movement might be reconstituted in this country. I attended meetings of various Socialist groups that were attempting to do something of this sort. But I never attended any meetings of the Communist Party for members of the Communist Party only. I am certain that if I put in an appearance at the door I would have been excluded.

Mr. ARENS. Are you now completely, irrevocably, against the Communist Party?

Mr. ALEXANDER. That again, I am not trying to dodge the answer to that question. Yes. I am against the Communist Party. But that is a big question. I happen to be writing a book about my attitude on that question. So far I have written 150 pages, and I am not near done, so I can hardly hope to do justice to it.

Mr. ARENS. Do you care to tell us whether or not you are still a Marxist?

Mr. ALEXANDER. No, I am not.

Mr. WILLIS. Let us take a recess for 10 minutes at this point.

(Subcommittee members present: Representatives Willis and Johansen.)

(A brief recess was taken.)

(Subcommittee members present: Representatives Willis and Johansen.)

Mr. WILLIS. The subcommittee will please come to order.

Counsel may proceed.

Mr. ARENS. Now, for the next several minutes I should like to inquire respecting some of your own functions and activities in the Communist Party. Did you ever teach in any leadership training school in the Communist Party?

Mr. ALEXANDER. Yes, certainly.

Mr. ARENS. Where?

Mr. ALEXANDER. In the Seattle, Wash., area when I was educational director; possibly in California. I can't quite remember.

Mr. ARENS. What did you teach, what courses?

Mr. ALEXANDER. I can't remember the specifics. As educational director of the district organization I was the director of the district party training school. I probably taught several courses, but after eleven years I can't remember the specific titles of them.

Mr. ARENS. Can you remember any of the courses which you taught?

Mr. ALEXANDER. I can't remember specifications.

Mr. ARENS. Did you teach any courses on revolution, techniques of revolution, or were these public courses?

Mr. ALEXANDER. I taught courses on Marxism, Leninism, certainly.

Mr. ARENS. And over what period of time did you teach Marxism and Leninism?

Mr. ALEXANDER. I am certain scattered through the period from 1940 to 1948 I taught some courses many times, oh, many times that I can't recall the individual dates or titles or courses.

Mr. ARENS. Now, your disassociation from the Communist Party did not thus far from your explanation include a disassociation from the ideology of communism. Have you disassociated yourself or have you developed an antipathy to the ideology of communism; namely, that there is no God, that we are controlled by materialistic forces, that there must be a world revolution? Are you disassociated from the ideology of communism?

Mr. MARKS. Are you talking about now?

Mr. ARENS. I am talking to the witness, if you please.

Are you disassociated now from the ideology of communism?

Mr. ALEXANDER. Honestly, Counsel, I disassociated myself now from the ideology of communism but I could not state as a person who tried to read some books in my life that your descriptions of the ideology of communism—I don't believe that to be quite exact or fair—although I do disassociate myself from the conception of ideology of communism that I had gotten from some 20 to 25 years of study of it and a great number of other subjects.

Mr. ARENS. Have you been educational director of the Communist Party for the State of Illinois?

Mr. ALEXANDER. No.

Mr. ARENS. What have you done in educational work in the State of Illinois?

Mr. ALEXANDER. Nothing that I can recall. In the State of Illinois, as I stated, way back in 1934 or 1935 I was not an official of the Communist Party or the Young Communist League, and when I was a member of the Communist Party of the State of Illinois from approximately 1951 to 1956, having recently been reaccepted into the Communist Party, I was certainly not a leader of the Communist Party.

Mr. ARENS. Was your acceptance in the Communist Party at your solicitation?

Mr. ALEXANDER. Yes. Having been accused of personal dishonesty by the Communist Party in 1948, perhaps quixotically, looking back on it I was very anxious to clear my own record and my own conscience but I felt it was the wrong way to do so.

Mr. ARENS. Did you become cognizant of the Communist in the 1950's—of the treachery of the Communist operation?

Mr. ALEXANDER. Well, in 1956, when I left the Communist Party, as I say, I left it because there was a clear conflict of interest between the membership of Local 113 and the rank and file caucus of 113 and the Communist Party. That is why I left.

Mr. ARENS. Were you cognizant of the control of the Communist Party of the United States by the Kremlin?

Mr. ALEXANDER. That control, again, Mr. Chairman, that is a simple word which covers up a complex problem. One of the reasons why I left the Communist Party was because I felt that the Communist Party in the United States attempted much too much to pattern itself upon policies formed by the Soviet Communist Party and that the Soviet Communist Party attempted too much to a great extent to guide the policies of the American Communist Party.

Mr. ARENS. Were you cognizant of the—

Mr. ALEXANDER. As a consequence, the American Communist Party became futile and ineffective.

Mr. WILLIS. May I ask a question at this point?

Along the lines of direction and control of policies of the American party by the Soviets, and picking up your thoughts with reference to the policy of the American Communist Party during World War II, when there was a common fight, as you said, against fascism, I would be interested to have as frank a statement from you as—

Mr. ALEXANDER. Certainly.

Mr. WILLIS. —as you would kindly inform us on what was the policy of the Communist Party during the Korean war as to righteousness of our cause or what was the official line? Would you care to talk about that?

Mr. ALEXANDER. Would you please refresh my memory about the year of the Korean war?

Mr. WILLIS. The Korean war was June 1950, I think it started and lasted a year or so. You were not in the party?

Mr. ALEXANDER. I was not in the party in 1950, no. I rejoined in approximately 1951 or 1952.

Mr. WILLIS. The war was on to 1953, actually. Do you have any knowledge on that, because we have our own opinions on it and we have some executive information that we received in the committee and I am curious to know if you have any judgment on that.

Mr. ALEXANDER. I have knowledge, not expert knowledge, because I was not a leader of the Communist Party at that time. My knowledge of Communist Party policies is based on the same sources as your own, publicly printed statements and so on.

Mr. WILLIS. What is your knowledge?

Mr. ALEXANDER. My knowledge of it is that the Communist Party opposed the position of the American Government in entering that war and felt that the North Koreans represented the trend among all the colonial peoples of the world toward their national independence and that the United States was intervening against themselves on the side of a rather reactionary and corrupt old gentleman by the name of Syngman Rhee, who the people of South Korea didn't like any better than the people of North Korea, who himself was what we attempted to call a Fascist dictator.

I think that was the position of the Communist Party at that time. I am not stating that that is my opinion or my position at the present time. I am not stating that it is or isn't. You simply asked me to state what I remember of the position of the Communist Party at that time.

Mr. JOHANSEN. Mr. Alexander.

Mr. ALEXANDER. Yes, sir.

Mr. JOHANSEN. I understand you to testify that the party at least because of the guidance, I think was the word you used, of the Kremlin in the affairs of the Communist Party of the United States being too extensive, in consequence of that the Communist Party of the United States became futile and ineffective.

Mr. ALEXANDER. Yes, sir.

Mr. JOHANSEN. In respect to what goals or objects or purposes did you feel that it had become futile and ineffective?

Mr. ALEXANDER. I thought it became futile and ineffective in regard to the goals for which I joined it and that was social progress and advancement of democratic rights in the United States, the creation of a more equitable social and economic order in the United States. I think that the Soviet Communist Party having no first-hand knowledge of the American political scene was in a very poor position to make suggestions to American Communists about what political strategy and so on they should employ and that the American Communists were very ill advised in, so to speak, hanging on the word of every Pravda and Izvestia editorial that came out to try to catch the latest slant and how they should apply that to the American situation. And the ideals for which I joined the Communist Party were effective social progress, work for social legislation, the unifying of the labor movement and all the liberal people in the United States to achieve these immediate goals and a more equitable social order.

I think the Communist Party went way off the track because the way, for example, the new social order had been achieved in Russia or in China, I don't think has hardly any relevance to the United States with its constitutional form of democracy, and that is the only way, the only effective way of making improvements in the social and economic order of the United States which I do think could bear improvement, and I think everybody could agree, I don't think that Russians or Chinese can be of much help to anybody in understanding how to improve our setup here under our type of government. Our type of government, they just haven't been brought up, they are not familiar.

Mr. ARENS. Are you cognizant of the fact that in the ascendancy of communism in Soviet Russia an estimated 20 million human souls have been liquidated, crushed.

Mr. ALEXANDER. I don't know the exact number. I am certainly cognizant of the fact that millions of people have suffered very deeply and many have been illegally murdered in the Soviet Union. That is one of the reasons why I quit the Communist Party.

Mr. ARENS. Are you cognizant of the fact that in Red China an estimated 40 million human lives have been snuffed out in the ascendancy of this force known as communism?

Mr. ALEXANDER. I am no expert on China and I don't know whether that is true or not. I might say this—that all——

Mr. ARENS. What is your estimate on the number of human souls that have been destroyed in Red China?

Mr. ALEXANDER. I have no estimate. I have no way of estimating at all.

Mr. ARENS. Have you any doubt but what millions of human souls have been destroyed by this force known as communism in Red China?

Mr. ALEXANDER. It is highly possible and I am opposed to those methods of bringing—may I answer?

Mr. ARENS. Are you cognizant of the fact right now, while I am talking to you, in Red China——

Mr. ALEXANDER. May I finish answering?

Mr. ARENS. They have a system known as the spread eagle where they take people who are against the regime and they tie one hand to a horse, another hand to a horse, their head to a horse, a foot to a

horse, and the other foot to a horse and then they pull them bodily apart. Are you cognizant of that going on now in Red China?

Mr. ALEXANDER. I have no expert knowledge of these facts.

Mr. ARENS. Are you cognizant—

Mr. ALEXANDER. I have read in the newspaper and I have no way of evaluating.

Mr. ARENS. Are you cognizant of the fact that Stalin, who over the course of a generation was the leader of this force of communism, was by his own colleagues, the present leader Khrushchev condemned as one who was brutal, a murderer, who destroyed hundreds of thousands of his colleagues in the ascendancy of this force in Soviet Russia? Are you cognizant of that fact?

Mr. ALEXANDER. Very cognizant of it. That is why I left the Communist Party.

Mr. ARENS. Are you cognizant of the fact that Khrushchev, the present leader of the Kremlin, is dripping in blood, that during the regime of Stalin, Khrushchev had charge of liquidation of an estimated 8 to 10 million of the Kulak class that he just mowed down, had mowed down and destroyed as a Kansas farmer would wheat? Are you cognizant of that fact?

Mr. ALEXANDER. I am cognizant of all the brutalities committed by the Stalin regime. That is why I left the Communist Party.

Mr. ARENS. Are you cognizant of the fact—

Mr. ALEXANDER. I have no expert knowledge of any of these questions.

Mr. ARENS. Are you cognizant of the fact that that same force is the force that has been let loose of which you were a part and parcel for 20 years in this country, under whose flag you have protection?

Mr. ALEXANDER. Mr. Chairman, I recall that the first question along this line of questioning I did not finish answering when counsel interrupted me. I would like that first question restated so I might finish answering.

Mr. ARENS. Let's finish this question first and then go back to it. Are you cognizant of the fact that you have dedicated 20 years of your life to the promotion, the development, and the activity of this awful force on the soil of the country under whose flag you have protection?

Mr. ALEXANDER. Mr. Chairman, I will be glad to answer this question after I finish completion of the first question.

Mr. WILLIS. Yes.

Mr. ARENS. Complete your answer.

Mr. WILLIS. I think he is entitled to have that first question read, if that is what he wants.

Mr. ARENS. Which question is it you are in doubt about?

Mr. ALEXANDER. I think it was the first in this line of questions. It had something to do with Red China.

Mr. ARENS. Yes. Are you cognizant, in a word, of the horror now in vogue in Red China?

Mr. ALEXANDER. Mr. Chairman, I would request that the question as stated in the record be read back.

Mr. WILLIS. I think you remember it substantially, don't you?

Mr. ALEXANDER. I am not certain.

Mr. ARENS. The essence of it, then, I shall now repeat, are you cognizant of the fact that in Red China now they are separating families, that they are digging up the graves of the ancestors to use them for fertilizer, they are taking those people who are no use any longer to this machine and killing them off as you and I might slaughter hogs, all for the purpose of the ascendancy of this force in its awful terrorism, the like of which this planet has yet to see? Are you cognizant that now in Red China—

Mr. WILLIS. Let him answer that question fully, Counsel.

Mr. ALEXANDER. Mr. Chairman—

Mr. ARENS. Go ahead and answer it.

Mr. ALEXANDER. Mr. Chairman, I am advised by my counsel that I have the right to have the text of the question as originally asked to be read back to me from the record. I will be glad to finish answering it.

Mr. ARENS. If there will be an answer we will strike the question and use the question I just asked.

(The witness conferred with his counsel.)

Mr. ALEXANDER. Will you please restate it so I may answer accurately the question before.

Mr. ARENS. In essence, are you cognizant of the horror beyond human comprehension that is now in vogue in Red China?

Mr. ALEXANDER. Yes. I am cognizant of it and I am very much opposed to it. I am also cognizant of a great number of things that go on in the colonial world. I spent almost two years as an enlisted man in the American Army in India. I saw a great deal of all of southeast Asian nations. The first year I was in India under British rule, some 2 million people died of starvation in the streets of the city of Calcutta. Certainly I think this is a very difficult problem to solve. If you don't have rapid industrialization of these colonial countries, millions of people die of starvation each year as they used to in old China. If you do have the rapid pace of industrialization that is necessary to stop this slow daily starvation among the people of Asia and Africa, so far it appears that the only way that it has been successfully done has been through the rapid brutal methods now being used in China. I am against them but it is a genuine dilemma, believe me.

Mr. WILLIS. Pardon me. I don't want to interrupt you. We have instructions from the Federal judge not to permit smoking during hearings.

Mr. ARENS. Are you cognizant, sir, and this is the crucial question I want to pose to you now in all sincerity, that the force which has caused the destruction of an estimated 20 million people in the Soviet Union, that has caused an estimated millions upon millions to be destroyed in Red China, the force that cut loose in Korea, the force that cut loose in Hungary, the force that now has 33 million agents over the world in this Godless, atheistic communism, which is dedicated to the destruction of this Nation under whose flag you have protection is the same force to which you dedicated your life, your energies, your talents for 20 years?

Mr. ALEXANDER. Well, I think, Mr. Chairman, in all honesty, I would respect the staff director's description and ideals about com-

munism. I hope that he will respect my own. I am opposed to the Communist Party.

Mr. ARENS. Would you kindly just answer that question?

Mr. ALEXANDER. It is a very bad thing. I am answering it. I answered it by leaving the Communist Party. However—

Mr. ARENS. If you want to answer it, then tell us.

(The witness conferred with his counsel.)

Mr. WILLIS. I think—

Mr. ALEXANDER. May I finish this question?

Mr. ARENS. Go right ahead.

Mr. ALEXANDER. Much as I am now opposed to the Communist Party, I don't think that the Communist Party quite fits the description staff counsel gave and I think a good number of other people think so.

Mr. ARENS. Do you think communism—

Mr. ALEXANDER. May I finish answering the question?

Mr. ARENS. Go right ahead.

Mr. ALEXANDER. I think the problem might be stated in a nutshell like this, that there are people who are opposed to—both the Communists and the committee I think have an unfortunate habit of trying to force a person either to be a Communist or a supporter of the position of, well, one might call what might be called the modern know-nothing position. I think most of the people in the United States are in the middle between the two. And I think I share that position. I am opposed to communism, but I am not so naive as to subscribe to the devil theory of history. I am opposed to communism, but by being opposed to communism I don't think that I have to become a know-nothing, a witch hunter and that type of thing.

Mr. ARENS. We don't want you to become a know-nothing.

Mr. ALEXANDER. I think I can have an honest, dispassionate, objective, intellectual opposition to communism.

Mr. WILLIS. I understand.

Mr. ALEXANDER. Without becoming a witch hunter.

Mr. WILLIS. I think that answers the question adequately.

Mr. ARENS. Now, would you kindly tell us if you are opposed to communism, if you think it is an evil force, would you tell us, please, sir, the names of persons who to your certain knowledge are now participants as members of the Communist Party in the greater Chicago area?

Mr. ALEXANDER. You asked me knowledge of people who are now members of the Communist Party.

Mr. ARENS. Who as of 1956 when you left the Communist Party.

Mr. ALEXANDER. As of 1956?

Mr. ARENS. Yes, sir.

Mr. ALEXANDER. Mr. Chairman, I would beg respectfully to decline to answer that question because I have been going through the unfortunate experience, very possibly losing my own job, by virtue of being summoned up here because I was a Communist in the past though I am not any longer, and I am conscious while I have been freely willing to testify about myself, my own activities, in conscience I can't subject anybody else to the things I have been subjected to the past few days.

Mr. ARENS. May I ask you this question?

Mr. ALEXANDER. I decline to answer any questions concerning names of other people.

Mr. WILLIS. Let him complete. He has a right to explain his declination.

Mr. ALEXANDER. Matter of conscience.

Mr. ARENS. Just a matter of conscience in his case.

Mr. ALEXANDER. Right.

Mr. ARENS. Now, if you had been a member of a narcotics ring which was selling narcotics to destroy the bodies and souls of people in the Chicago area, and you for reasons of your own had decided, "Well, this narcotics ring isn't for me, I am now decidedly opposed to it," would you come forward and tell the Government of the United States or its authorized agency the names of other persons in that narcotic ring, so that the Government of the United States might develop factual information with which to protect this society against the machinations and marauding of the narcotics ring?

Mr. ALEXANDER. Mr. Chairman, I would like your advice. I think that we are discussing subversive activities, not a narcotics ring. I believe the question would be irrelevant. Pretty hard to discuss the parallel because it is a big philosophical argument here.

Mr. ARENS. Do you feel the Communist operation in the United States today now is a vile force?

Mr. ALEXANDER. The Communist operation in America now an evil force?

Mr. ARENS. Yes, sir.

Mr. ALEXANDER. Well, hardly. I think the Communist operation now is an impotent force, a sterile force, and in my own opinion that if it were not given all the publicity that it is given by committees like this one and a few others, that within a few months the Communist Party would be reduced to the same type of sterile impotency as the Social-Labor Party, the IWW have, and they would cease to be any factor at all in America.

Mr. ARENS. Are you cognizant of the fact that the best brains and best intelligence sources in the Government of the United States undercover agencies serving in the Communist Party, indeed people who testified in these very hearings, as well as undercover agents who have been giving information to this committee, unanimously without a sense of dissent profess that the Communist operation in the United States today now is a more serious, more deadly fifth column on American soil than ever before in the history of this Nation?

Mr. ALEXANDER. I am conscious of this fact. However, being an American citizen brought up on the Bill of Rights, I have long ago decided that when it comes to questions of making up my own mind, the realm of philosophy, politics, and moral ideas, as an American and while I can read what Government experts or anybody else say, my duty is to study these problems as carefully as I can from objective sources and come to my own conclusions. In the realm of philosophy, politics, I hardly consider police agents and people of that sort as experts. I would much rather go back to the original sources of Marx, Engels, Lenin, make objective decisions for myself, whether I am for or against them. People in Nazi Germany fell into the habit of letting their minds be made up for them by the official decisions of their government. I think it has been the whole spirit of our coun-

try that you should listen to what experts in your government say but read the stuff yourself and make up your own mind for yourself and that is what I tried to do.

Mr. ARENS. Have you made a study, then, of the operations out of the consulates and embassies of this Government of espionage agents in the pay and under the discipline of the Communist conspiracy?

Mr. ALEXANDER. I have no expert information. I read the newspapers like anybody else.

Mr. ARENS. Have you made a study of the current Communist political subversion campaign?

Mr. ALEXANDER. No; I have no expert information. For the last year and a half I have been quite disinterested in politics.

Mr. ARENS. Have you made a study of any Communist colonization program, whereby they are now sending into heavy industry, people who have been trained in training schools of revolution who efface all identities of themselves for the purpose of colonizing in heavy industry? Have you made a study of that?

Mr. ALEXANDER. I have no expert information. I read what was reported in newspapers of this committee. But for the last year, a year and a half I have become much more disinterested in politics than I used to be. I have occupied myself in the field of literature and I expend most of my time writing a book so I have no expert knowledge on this.

Mr. WILLIS. Let me ask you this question, and I am not going to debate or characterize it, either way, for the information of this committee. You are aware of the fact that they use colonization without putting any interpretation on it. You are aware of that, aren't you?

Mr. ALEXANDER. Yes; I am aware of it.

Mr. WILLIS. In fact, let me ask you this, very frankly. I meant to ask you it a while ago; I am going to ask you now. With your educational background that you related, and your knowledge of theoretical communism, everything else, did you consider yourself in later years engaged in the type of work that you performed—you said you studied to be a machinist—is that something of a definition of colonization, isn't that about the type they use? If you were not one, isn't that about the thing they use, in all honesty?

Mr. ALEXANDER. No. In all honesty I could not have been colonized in 1949 when I became a machinist, because I had just been expelled from the Communist Party. The Communists had orders not even to associate with me, but I will answer about colonization as I knew it when I was a leader of the party.

Yes, certainly, a Communist urged members to go to work in important factories and things of that sort, they could persuade them to do so and the reasons for it were quite simple and obvious. There was a big unionization drive going on in this country at that time and the Communist Party was, I think it is now, judged to be true by all labor historians, the Communists played quite a big role in organizing the CIO in the beginning, although they were kicked out, and Communists made every attempt to get their members to go to work in big factories where organizations were ahead, when organizers were needed, and so on.

Mr. WILLIS. And place them in posts of leadership, and so on.

Mr. ALEXANDER. Not necessarily.

Mr. WILLIS. I think that is the essence of what we have been—

Mr. ALEXANDER. I think in all honesty the Communists are quite willing to say, "Let the weight of the chemicals fall according to their weight." If the workers would elect somebody who happened to be a Communist to an office, fine; if they wouldn't elect them, that guy wasn't doing a very good job.

Mr. WILLIS. Proceed, Counsel.

Mr. ARENS. Did you teach in your training school force and violence as a means to obtain the objectives of communism?

Mr. ALEXANDER. No.

Mr. ARENS. Does the Communist Party?

Mr. ALEXANDER. Not in America.

Mr. ARENS. Does the Communist Party stand for the overthrow of the Government of the United States by force and violence?

Mr. ALEXANDER. I don't know what the Communist Party stands for now, sir.

Mr. ARENS. Now don't equivocate with me. Did the Communist Party stand for it?

Mr. ALEXANDER. When I was a member?

Mr. ARENS. Yes, sir.

Mr. ALEXANDER. Did it stand for overthrow of the Government by force and violence?

Mr. ARENS. Yes.

Mr. ALEXANDER. No.

Mr. ARENS. Then were the 11 Communist traitors down in Foley Square convicted erroneously for advocating the overthrow of the Government of the United States by force and violence?

(The witness conferred with his counsel.)

Mr. ALEXANDER. I am sorry, sir; I don't have any legal qualifications to give an answer to that question, not a lawyer.

Mr. ARENS. You said you spoke, you taught Marxism and Leninism.

Mr. ALEXANDER. That is right.

Mr. ARENS. Lenin advocated, did he not, that in essence we must use deceit, lies, anything that will further our cause? Isn't that the essence of the technique used by Lenin and advocated by Lenin?

Mr. ALEXANDER. Well, this is one of the reasons why I resigned from the Communist Party, because writing—

Mr. ARENS. When were you taught that?

Mr. ALEXANDER. May I continue to answer that question when I am finished?

Mr. ARENS. Go ahead.

Mr. ALEXANDER. That the writing of Lenin, Lenin having been a Russian and living in Russia most of his life, were not applicable to an open democratic system such as we had in the United States. When Lenin wrote about deceit and lies and all that sort of thing, he was talking about an underground revolution, antimonarchist movement in a Czarist country, Russia. When I was in the United States Army, I know of people who employed deceit, lies, all that sort of thing, to an incredible extent, the OSS. Our American and British underground agents in occupied countries, and certainly we, when you are fighting—

Mr. ARENS. Would you kindly answer this question? It is not responsive at all to the question. You are giving a recitation.

Mr. WILLIS. I think you have given an adequate explanation.

Mr. ARENS. Now, sir, when you taught Marxism and Leninism in this leadership training school of the Communist Party, did you teach Marxism and Leninism absent, minus, without encompassing in your instructions the deceit, the lies, and the treachery that Lenin taught and advocated and wrote?

Mr. ALEXANDER. I never advocated deceit, lies, treachery. When I began to feel that the Communist Party was engaging in that sort of thing I left it.

Mr. ARENS. You taught in Marxism, Leninism out in Seattle back in the early 1940's, didn't you?

Mr. ALEXANDER. That is right.

Mr. ARENS. At that time you knew from Lenin that he taught deceit, lies, and the like, did you not?

Mr. ALEXANDER. I taught that the—

Mr. ARENS. Answer my question. Don't equivocate with me. When you taught—

Mr. ALEXANDER. What is the question, please?

Mr. ARENS. When you taught Marxism and Leninism in Seattle in the leadership training school of the Communists, did you then know that Lenin's techniques, his advocacy, his teachings encompassed and embraced lying and deceit and misrepresentation as part of the technique of communism?

Mr. ALEXANDER. I knew that to be true when operating, when Communists were working in an underground, illegal organization devoted to the overthrow of the Russian czar and that is the only way anybody has ever accomplished anything against a complete dictatorship. That is why I am so much in favor of maintaining democracy and the Bill of Rights in the United States so that I hope it will never have to have any movements that resort to lies and deceit here. People only do that when they have a complete dictatorship as our underground agents had to do.

Mr. ARENS. Did you, as of the time that you were teaching in the Lenin school, have this revulsion toward Lenin's teachings of force and violence and of deceit and treachery?

Mr. ALEXANDER. I never taught in the Lenin school, sir.

Mr. ARENS. I say when you taught in the training school.

Mr. ALEXANDER. Did I have a revulsion against lies, deceit, violence?

Mr. ARENS. Against Lenin teaching of lying, deceit, and treachery.

Mr. ALEXANDER. Yes. I had a revulsion against them. I am sure that most men in the OSS had a revulsion against the methods they had to use. They certainly would have preferred to use the kind of methods that we can use in political life in the United States under our Bill of Rights but revulsion or no revulsion they were operating in an occupied country against Hitler. They had to use them.

Mr. WILLIS. Wait a second.

Mr. JOHANSEN. Mr. Chairman.

Mr. ARENS. Do you—

Mr. WILLIS. Wait a minute.

Mr. JOHANSEN. As I understand you to testify you said that one of the reasons that you left the party was because of, and was timed to your discovery of, the advocacy and use of deceit and treachery and the advocacy of force and violence.

Mr. WILLIS. Is that right?

Mr. JOHANSEN. Is that correct?

Mr. ALEXANDER. Yes.

Mr. JOHANSEN. Was it the fact that it was used in Russia that prompted you to develop that revulsion or was it the fact that it was practiced, preached, and practiced in the United States which caused that?

Mr. ALEXANDER. Well, the use of it in Russia certainly forcibly brought it to my attention and I don't think it was used exactly in that way in the United States because the Communist Party never had government power in the United States like they had in Russia. But I certainly began to consider, for example, that my own expulsion from the Communist Party in 1948 was a rather inhuman and dishonest thing to do. I think the people who expelled me from the Communist Party knew quite well that I was not a FBI agent or a FBI accomplice and yet they called me that in order to expel me because I was a critic of theirs. I think this was dishonesty and deceit on their part, yes. But I don't think the Communist Party in the United States ever practiced it on any grand scale like they did in Russia, to the extent of having people killed and so on. They were never in power. It is an altogether different situation. I don't think the Communist Party, the Communist Party is made up of human beings, and no matter where you go, in what walk of life the people are rather queer ducks, with a great number of brothers—ambitions and deceit, and all that sort of thing.

Mr. WILLIS. Of course, what we are interested in is information with regard to current operations and techniques of the Communist conspiracy in America.

Mr. ALEXANDER. Yes, sir.

Mr. WILLIS. As I understand, you will not reveal names of people with whom you were associated or go into those details today; is that correct?

Mr. ALEXANDER. Not today, or I am afraid at any time, sir, at least I hope not at any time. I hope I will never bring injury to innocent people. I don't think I ever will.

Mr. WILLIS. In doing so, I want to get the record perfectly straight for all purposes, and I hope your counsel will listen, in taking that position I do not recall that you have invoked any specific constitutional provision. You do it on the basis of conscience; is that correct? (The witness conferred with his counsel.)

Mr. ALEXANDER. I am declining to answer this type of question, sir, on the grounds of conscience, and on the advice of my attorneys, also on all constitutional grounds which might pertain to it, except that portion of the fifth amendment which speaks of protection against self-incrimination.

Mr. WILLIS. You do not invoke?

Mr. ALEXANDER. I do not invoke that section of the fifth amendment which offers immunity against self-incrimination. That is the only one I do not.

Mr. ARENS. Mr. Chairman, I will make this record absolutely clear because I expect to propound a very important question on this specific issue, and I invite your attention to the explanation that I want to make now of pertinency.

This subcommittee of the Committee on Un-American Activities is here in Chicago to develop factual information which will be of assistance to it in appraising the adequacy of our existing security laws and their administration, also for the purpose of accumulating information which might be of use to it in devising amendments to existing security laws to cope with the ever-changing tactics and strategy of the Communist Party. It is obvious, sir, from your testimony here, and I will say I have all kinds of exhibits I was going to display to you respecting your own Communist Party activities, information and knowledge and techniques—it is obvious, sir, that you have a fund of knowledge of current Communist Party techniques and activities in the greater Chicago area. I say by current up to and including 1956. In order for us to determine—

Mr. WILLIS. 1956 according to his testimony.

Mr. ARENS. According to his own testimony.

According to your own testimony up until 1956. Now, it is obvious that before this committee could summon persons before it, in order to solicit from them information respecting Communist Party techniques, activities and the like, we must know the identity of those persons. I therefore now am going to ask you in a moment to give this committee the names of persons who to your certain knowledge—I don't want any innocent people that you talked about—only those persons who, to your certain knowledge in 1956, were members of the Communist Party, in the greater Chicago area, so that this committee can with that information either confirm partially or in toto, other bits of information respecting those persons and their activities or summon those persons before this committee to get additional information, all for our legislative purposes of appraising the adequacy of existing legislation and its administration or to devise amendments to existing laws.

Now, sir, with that explanation, I now ask you while you are under oath to name before this committee now the names of persons who, to your certain knowledge, were in 1956 members of the Communist Party and active as Communists in the greater Chicago area.

(The witness conferred with his counsel.)

Mr. ALEXANDER. Mr. Chairman—

Mr. ARENS. Sir, so there will be no misunderstanding on this record, after I had just made this explanation and posed this question, you have been in consultation now with two of your lawyers; is that correct?

Mr. ALEXANDER. Correct.

Mr. ARENS. Who are appearing here with you today.

Now, would you kindly respond to the question.

Mr. ALEXANDER. Mr. Chairman, I would willingly stay here all day, all night, as long as the committee wants, to give them all information in my possession about Communist activities, Communist techniques up to 1956 when I had knowledge of these things. However, when it comes to identifying persons whom I knew as Communists up to 1956, I can't evade the point that I might cause those people to go through the same thing I have had to go through for the past few days, including possible loss of a job. Most people who were in the Communist Party at that time, as the committee well knows, have left the Communist Party, and are now opposed to it. The Communist Party, in your own words—pardon me, sir.

Mr. WILLIS. You see, permit me to interrupt you. I think I catch your point.

Mr. ALEXANDER. Certainly.

Mr. WILLIS. It is for the very statement you just made, that argument cannot possibly be accepted by us. You say as we well know, it is meaningless today. But, let us form a judgment on that by digging into and being informed as to the techniques and so on. So, do you not see it is inconsistent, very difficult and unpleasant a task to permit a witness, not necessarily you, any witness to talk about his activities in his own way, believing perhaps all that that witness is saying is true, but not giving us an opportunity to check upon the truth or falsity of the witness on the stand, being questioned. And then painting a picture his way and stopping short and not permitting us to form a judgment. I am implying nothing by what I have said as to the truth or falsity of your own statement. We are now discussing a very serious question of law, believe me, and I will have to order you to answer that question for that reason and let me say this, as I indicated, we appreciate your appearance, we appreciate your task, we appreciate the position you are in. On the other hand, here is our position: This committee has been formed many years ago. The talk about its lack of legislative purpose is not uncommon to us. We hear that all the time. We have to bear the brunt of criticism and all that goes with it. But from year to year we are directed to make a report to the Congress and we did that just last January on the work of last year, calendar year 1958. We were reconstituted and ordered to do this job. In the reformation of the committee through its financing, as far as I know out of 435 Congressmen, I don't think there—I really don't recall one vote against ordering us to continue our legislative purpose.

As to legislation, as the opening statement indicates, this committee has made recommendation after recommendation. Some of the most delicate and penetrating security laws for good or bad according to the judgment of various people have been passed and as a result of our work. The Smith Act, the Foreign Agents Registration Act, the Communist Control Act, as I say, for good or bad, Congress voted them. We are directed to appraise them from year to year. That is our job, which is unpleasant.

Now, when they talk about legislative purpose of this committee, let us see what it means, whether it is or is not the business of Congress to legislate upon this subject of communism.

It is a painful truth that within your and my lifetime this ideology has taken over perhaps one-fourth of the population of the earth, of the world and perhaps in physical land mass perhaps a third or more without firing a shot. We are in trouble today. We have to vote something like \$40 billion a year for national defense, national defense against whom and what? Who are the troublemakers? Who must we defend the taxpayers against, have to bleed through the nose? The Communists, of course.

Now, anyone can, with a serious face, take an oath before this committee and say, "Well, Congress is powerless to inquire into these things, the resolution is too vague for us to talk about it." I make this lengthy statement to try to impress upon you that in ordering you to answer that question I am forced to. You go half way—your way—

without giving us an opportunity to recheck, to check, on what you say. Then we are led into this blind alley and then you have this warning. The committee appreciates the extent to which you have gone but with this explanation, I will order you to answer the question, unless, of course, you wish to take advantage of the invocation of the constitutional grounds, then it ends the matter. You have a perfect right to do it.

(The witness conferred with his counsel.)

Mr. ALEXANDER. May I consult with counsel on this? It is obviously a serious matter.

(The witness conferred with his counsel.)

Mr. ARENS. Mr. Witness, so I just pose a question to you, and your counsel might well listen because we want this record to be absolutely clear.

Mr. ALEXANDER. There is a question pending.

Mr. ARENS. I want this to go on the record now.

Do you understand, Mr. Witness, that your declination is not accepted by the committee and that the chairman of this subcommittee has ordered and directed you to answer the outstanding principal question? Do you understand that?

Mr. MARKS. Yes.

Mr. ALEXANDER. I understand.

Mr. WILLIS. I am required to make that order under the decisions of the Supreme Court.

Mr. ALEXANDER. I understand that. I think you have been respectful of my sincerity and I am certainly respectful of yours, sir.

(The witness conferred with his counsel.)

Mr. ALEXANDER. Mr. Chairman, I respectfully must decline to answer on the grounds of conscience. In doing so I invoke all constitutional grounds for refusing to do so, including, but not limited to, the first amendment and the due process clause of the fifth amendment relating to scope of this inquiry and the power of the committee and the pertinence of the questions. There is only one constitutional ground that I am not invoking and that is the privilege against self-incrimination.

Mr. ARENS. Now, sir, just so the record can be so clear it will be ludicrous to say it is not clear, you have just conferred with your two counsel, have you not, before you gave that response?

(The witness conferred with his counsel.)

Mr. ALEXANDER. Yes, certainly.

Mr. ARENS. And you have set forth the grounds for your refusal after your consultation with them, indeed, I believe you have read it after you have prepared the exact answer, is that correct?

(The witness conferred with his counsel.)

Mr. ALEXANDER. I decline to answer that question. I think it is irrelevant. The matter of the lawyer-client privilege is involved.

Mr. ARENS. All right. You still understand, now, do you not, that the committee as of this instant is continuing to insist upon the information, it is not accepting your declination? Do you understand that?

(The witness conferred with his counsel.)

Mr. ALEXANDER. I understand that and I hope that I will stand by my position for the rest of my life.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

The committee will take an informal recess of 5 minutes.

(Committee members present: Representatives Willis and Johansen.)

(Brief recess.)

(Committee members present: Representatives Willis and Johansen.)

Mr. WILLIS. The subcommittee will please come to order.

Counsel, please call your next witness.

Mr. ARENS. The next witness, if you please, sir, will be Mr. Bernard Angert.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand.

Mr. MEYERS. Mr. Chairman, my client objects to the taking of photographs here.

Mr. WILLIS. You are not under our jurisdiction until you have taken the oath.

Do you solemnly swear—please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ANGERT. I do.

Mr. WILLIS. Now, if you invoke the rule, no photographs.

Mr. MEYERS. Would you be good enough to ask that man to take the plate?

Mr. WILLIS. No. That was before he was administered the oath. I have no—

Mr. MEYERS. You know I made an attempt to stop it.

H.C.U.A. 5/6/59
TESTIMONY OF ~~BERNARD~~ ANGERT, ACCOMPANIED BY COUNSEL,
IRVING MEYERS b.10/19/19, Chicago, Ill.

Mr. ARENS. Now, would you kindly identify yourself by name, residence, and occupation?

(The witness conferred with his counsel.)

Mr. ANGERT. I am Bernard Angert.

Mr. ARENS. Would you kindly keep your voice up a little bit. It is difficult to hear you.

Mr. ANGERT. Bernard Angert. I live at 934 Fowler, in Evanston, Ill.
I am a moldmaker.

Mr. ARENS. You are appearing here today, Mr. Angert, in response to a subpoena which was served upon you by this committee?

Mr. ANGERT. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. ANGERT. By counsel.

Mr. ARENS. Counsel, would you kindly identify yourself on this record?

Mr. MEYERS. My name is Irving Meyers, Chicago, Ill.

At this time, Mr. Chairman, I addressed a telegram on April 30 to the chairman of your committee, Mr. Walter, and I would like to

know if I can have an answer to the request that I made there for an executive session. The reason I made that request was to prevent my client from suffering from public scorn and stigma that was denounced in the Watkins case and to preserve his whole interest and to prevent him from feeling the injury that attaches to anybody that appears at this hearing in open—

Mr. ARENS. Now, would you kindly tell us where and when you were born?

Mr. MEYERS. Mr. Chairman, may I have an answer?

Mr. ARENS. No. Counsel understands the rules of the committee, a copy of which I see before you. Your sole and exclusive prerogative is to advise your client.

Now, kindly tell us where and when you were born.

Mr. MEYERS. You do not see a copy of the rule. You see a copy of the DAR manual for citizenship.

Mr. ARENS. It looked like the rules, same color.

Mr. MEYERS. I might add you didn't furnish us with a copy of the rules and I request one.

Mr. ARENS. I will kindly advise you now, sir, your sole and exclusive prerogative, as the chairman said in his opening statement yesterday, is to advise your client. Kindly tell us where and when you were born.

Mr. ANGERT. Mr. Chairman, I would like to request, as a matter of record as I did request this as of my counsel, this telegram be read into the record. I would like to read it, if I may.

Mr. ARENS. Would you kindly answer the question where and when you were born?

Mr. WILLIS. You may hand it to counsel.

Mr. ARENS. We will be glad to receive anything you want to tender there.

(The witness conferred with his counsel.)

Mr. ANGERT. One moment, please.

Mr. ARENS. Now, would you kindly tell us where—

Mr. ANGERT. Just a moment. I would like to make this request again of the chairman. This telegram was sent some time ago, a week ago, and this request was made most sincerely and I want this as a matter of record, please, and now I feel that in the situation as outlined by my counsel, that any service I can do this committee I can do them equally well in executive session without the stigma of publicity attached.

Mr. ARENS. We don't want to be accused any more of star-chamber procedures.

Now, would you kindly tell us where and when you were born?

Mr. ANGERT. I made the request of the chairman.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question where and when he was born.

Mr. WILLIS. The telegram is received and you may proceed.

Mr. ARENS. Will you kindly answer the question?

Mr. ANGERT. What is your question?

Mr. ARENS. Where and when were you born?

Mr. ANGERT. I was born October 19, 1919, in Chicago, Ill.

Mr. ARENS. Give us a word, please, sir, respecting your formal education.

Mr. ANGERT. As I can remember it, I graduated from high school here in Chicago, and I attended Central YMCA College, the city colleges, and the University of Illinois, over a 4- or 5-year period, not continuous attendance, I did not graduate and there may have been other things as well.

Mr. ARENS. Did that complete your formal education?

Mr. ANGERT. No; that did not complete my formal education. I don't know. Formally, yes. I also attended trade schools and took courses in keeping with information as regards my trade as a mold-maker. I took courses in machine-shop practice, courses in mechanical drafting, engineering drawings, and things of that kind.

Mr. ARENS. When did you complete your formal education in the school that you told us about a moment ago, please, sir?

Mr. ANGERT. I would say that in the sense that I answered it previously I would say it was 1940, 1941, although I might point out that I have taken courses after I got out of the Army as well, very recently, again in courses related to my trade.

Mr. ARENS. Now, give us, if you please, sir, just the principal employments which you have had since you completed your formal education.

(The witness conferred with his counsel.)

Mr. ANGERT. I worked after finishing my education as you point out, I went to work in a machine shop; left for the services and then I—

Mr. ARENS. Where did you serve in the armed services? Could you help us on that, please, sir?

Mr. ANGERT. Certainly. Trained in this country and I served overseas in Italy.

Mr. ARENS. When were you discharged?

Mr. ANGERT. End of 1945.

Mr. ARENS. Did you have a commission?

Mr. ANGERT. No.

Mr. ARENS. All right, sir. Beginning about 1945 when you were discharged would you kindly give us just your principal employments?

Mr. ANGERT. I can tell you then again because of the type of work that I do and the fact that it is common practice for moldmakers, special type of tool and diemaking, to jump from shop to shop, you cannot pin me on exact dates because I could not possibly remember.

Mr. ARENS. We don't want to do that. Just your best judgment.

Mr. ANGERT. All right. Immediately after getting out of the armed services I worked for United Electrical, Radio & Machine Workers of America.

Mr. ARENS. In what capacity?

Mr. ANGERT. As a field representative of a local union, and I worked for them between a year and a half and 2 years.

Mr. ARENS. All right, sir. And then your next principal employment?

Mr. ANGERT. And then I went into a machine shop and I have worked in a number, I would say a dozen in rounding out the figure, small machine shops or jobbing shops of that kind.

Mr. ARENS. Have you been active in IAM?

(The witness conferred with his counsel.)

Mr. ANGERT. What do you mean by IAM?

Mr. ARENS. International Association of Machinists.

(The witness conferred with his counsel.)

Mr. ANGERT. I would like to know what the pertinency of my membership in that union is to this committee and its purpose.

Mr. ARENS. I will then hold that question for just a few minutes. Are you now or have you ever been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. ANGERT. I decline to answer that question, Mr. Counsel.

Mr. ARENS. Why?

(The witness conferred with his counsel.)

Mr. ANGERT. For the reasons that I will enumerate, if I may.

Mr. ARENS. I didn't hear you, sir.

Mr. WILLIS. For the reasons he will enumerate.

(The witness conferred with his counsel.)

Mr. ANGERT. I decline to answer the question because I believe it is for violating the first amendment, which insures me the right of freedom of association.

Mr. ARENS. You are reading now from a prepared statement, is that correct?

Mr. ANGERT. I am reading now, Mr. Counsel, from a statement that I prepared with my attorney because I am a layman and I wanted to make very sure that there would be no question in the mind of this committee exactly what my position is. It is not a lengthy statement; it is a simple position. I want to be heard on it.

Mr. ARENS. Go ahead. I want to be clear.

Mr. ANGERT. I am doing now. I would like to read, if I may. I believe you are violating the first amendment, which insures to me the right of freedom of association and belief in assembly and right of privacy. Further, I don't believe that you are authorized to make the inquiry you are making for the reason that your powers are vague and indefinite and have no legitimate relationship to legislative purposes. Further, I don't fully understand or know the purposes of this hearing.

Further, whatever your purpose may be I do not think the question is pertinent to those sole purposes. And further, I wish to assert the fifth amendment for the reason publicity attached to these hearings have made me reprehensive.

I therefore feel the answer to certain questions here such as the one you proposed may be a link in a chain of testimony that may subject me to criminal prosecution and the answer to the question propounded may tend to incriminate me.

For these reasons and for others I would like to decline to answer the previous question.

Mr. ARENS. Sir, are you now, this very moment, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. ANGERT. I decline to answer, Mr. Counsel, the same reasons just previously given.

Mr. ARENS. Would you kindly tell us whether or not you are engaged in Communist Party work in the International Association of Machinists as a colonizer or as an agent of the Communist Party in any capacity?

(The witness conferred with his counsel.)

Mr. ARENS. Mr. Chairman, so there may be no misconstruction to this particular question, I should like to make an observation on the record that through the years, over a generation's experience in this work on congressional committees, in fighting communism, it has been my personal observation that the International Association of Machinists is one of the strongest anti-Communist organizations in the Nation, and the fact that I have just posed the question should not in any sense be used as any reflection upon the very splendid program of that organization to rid itself of Communists and to keep Communists out of it.

(The witness conferred with his counsel.)

Mr. ANGERT. I would appreciate, Mr. Counsel, if you would repeat your question.

Mr. ARENS. I must confess at this late hour of the day, the tiring work we are doing here, I have forgotten the specifics of the question.

Mr. WILLIS. Are you now engaged—

Mr. ARENS. Oh, yes. Are you now engaged in Communist Party activities as a Communist in the International Association of Machinists?

(The witness conferred with his counsel.)

Mr. ANGERT. This is not the question you posed, Counsel. As I remember it wasn't even vaguely that way. In this instance I wish to take the same position I took previously.

Mr. ARENS. Are you connected with the International Association of Machinists in any capacity?

(The witness conferred with his counsel.)

Mr. ANGERT. I think you are invading—I think I made this clear—you are invading an area which is a question of interference and I don't think you have authority to do that. If you want to ask me specific questions, ask them.

Mr. ARENS. Will you kindly answer the question outstanding.

Mr. ANGERT. What is your specific question?

Mr. ARENS. Are you connected in any capacity with the International Association of Machinists?

(The witness conferred with his counsel.)

Mr. ANGERT. I am a member.

Mr. ARENS. How long have you been a member?

Mr. ANGERT. For 11 years, a little over.

Mr. ARENS. Have you held any office in the International Association of Machinists?

Mr. ANGERT. No office in the International Association of Machinists.

Mr. ARENS. Have you ever attended Communist Party training schools?

(The witness conferred with his counsel.)

Mr. ANGERT. I decline to answer that question and any similar questions you may have for the reasons I have already given.

Mr. ARENS, Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

The committee will stand in recess until tomorrow morning at 10 o'clock.

(Committee members present: Representatives Willis and Johansen.)

(Whereupon, at 4:32 p.m., Wednesday, May 6, the subcommittee adjourned to reconvene at 10 a.m., Thursday, May 7, 1959.)

COMMUNIST INFILTRATION OF VITAL INDUSTRIES AND CURRENT COMMUNIST TECHNIQUES IN THE CHICAGO, ILL., AREA

THURSDAY, MAY 7, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Ill.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:04 a.m., in courtroom 209, U.S. Courthouse, 219 South Clark Street, Chicago, Ill., Hon. Edwin E. Willis (subcommittee chairman) presiding.

Subcommittee members present: Representatives Edwin E. Willis, of Louisiana (presiding) and August E. Johansen, of Michigan.

Staff members present: Richard Arens, staff director, and Raymond T. Collins, investigator.

Mr. WILLIS. The subcommittee will please come to order.

(Subcommittee members present: Representatives Willis and Johansen.)

Mr. WILLIS. Counsel will call the first witness.

Mr. ARENS. Joseph ~~Poskonka~~, kindly come forward. Remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. POSKONKA. Yes, sir, I do.

H.C.U.A. 5/7/59

TESTIMONY OF JOSEPH A. POSKONKA

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. POSKONKA. My name is Joseph A. Poskonka. I reside at 5019 South Loomis, Chicago, Ill. Occupation at present, unemployed.

Mr. ARENS. Mr. Poskonka, are you right now in the Communist operation?

Mr. POSKONKA. Yes, up to the present minute I have been a functionary.

Mr. ARENS. Mr. Poskonka, have you in addition to participating as a functionary in the Communist operation been a part and a member of that formal entity known as the Communist Party?

Mr. POSKONKA. Yes, sir.

Mr. ARENS. When did you join the Communist Party?

Mr. POSKONKA. It was in 1943 at the time when our Nation was involved in the campaign of returning back to the Philippine Islands, when we first attacked Guadalcanal.

Mr. ARENS. Mr. Poskonka, have you ever been in sympathy with the Communist Party, ideologically with the Communist Party?

Mr. POSKONKA. No, sir. At no time did I ever believe in Communist Party principles or today or will ever. That is nothing but a threat worse than a rattlesnake.

Mr. ARENS. All of your service in the Communist operation, up to and including this very instant has been as a person who went into the Communist movement at the behest and with the cooperation of the Federal Bureau of Investigation for the purpose of supplying information to your Government, is that not correct?

Mr. POSKONKA. That is right.

Mr. ARENS. I expect to interrogate you on several items in the course of your testimony this morning, but I should like at the outset to ask you first of all, based upon your background and experience since 1943 until this instant in the Communist operation and your participation in the Communist Party as a formal entity, to tell this committee now, while you are under oath, how serious is the Communist movement, the Communist operation in the United States this instant.

Mr. POSKONKA. It is very, very serious.

Mr. ARENS. Why?

Mr. POSKONKA. Because of being undercover. They are using the scheme which instead of using openly the Communist Party, they are using front organizations and labor, and people think they are strictly a decent organization, fighting for labor. And at the same time today what they are trying to do is demoralize everybody and if anybody doesn't go along with their program they denounce them as a traitor and union-buster and everything under the sun, and also their aim is to demoralize not only the entire membership, but morally the entire public organization in the case of strike. They can cut out food entirely from the entire public of the United States as well as everybody else and then cut out of the Army food and supplies which is most necessary in order to win the war.

Mr. ARENS. Mr. Poskonka, may I inquire what distinction do you make between the Communist Party and the Communist operation?

Mr. POSKONKA. The Communist Party is an organization which gives directly the rulings and as far as the definition is concerned the people are functionaries.

Mr. ARENS. Now, Mr. Poskonka, may I pursue with you just a little bit some of the highlights of your career in the Communist operation? Where and when did you join the formal entity known as the Communist Party?

Mr. POSKONKA. Upon entering the Federal Bureau of Investigation, when I heard a teacher from the Abraham Lincoln School, which happened to be attending a class or teaching a class speaking on the subject of the Guadalcanal invasion. At that time I couldn't digest it because they said the invasion the United States had been making and return to the Philippines was all in vain.

In other words, the blood that was shed by our Armed Forces at Guadalcanal or any other front was in vain altogether. At the same time my kid was in there as well. But I am not only speaking for my kid but the entire Armed Forces or anybody who served in the Armed Forces of the United States.

Mr. ARENS. Mr. Poskonka, could you just tell us the date?

Mr. POSKONKA. As far as the date exactly, it was in the month of May. But when I called in to the Bureau and they sent two men and asked me if I would voluntarily serve the United States, and I said I sure would do anything to help the United States.

Mr. ARENS. Mr. Poskonka, may I suggest from the standpoint of the committee being able to interpret your comments, if you would speak just a little slower, please, sir.

Mr. POSKONKA. OK.

Mr. ARENS. Mr. Poskonka, where did you join the formal entity known as the Communist Party?

Mr. POSKONKA. I was signed up at 4758 Marshfield Street, which was the headquarters of District No. 1 of the United Packinghouse Workers of America.

Mr. ARENS. How long did you serve that entity?

Mr. POSKONKA. Just a moment. Let me explain I was signed into the branch—24th Chicago ward. From there I was transferred to Back-of-the-Yards Club which served the entire southwest section of the city of Chicago.

Mr. ARENS. Then what was your next unit to which you were assigned?

Mr. POSKONKA. From that—that unit was broken up into the Packinghouse Section from the Communist Party—also the Joseph Hill Club, which served the Campbell Soup Co. I remained in the Packinghouse Section because of being employed by the packinghouse.

Mr. ARENS. How long did you remain in the Packinghouse Section?

Mr. POSKONKA. Until 1948, as long as it had been in force.

Mr. ARENS. From 1948 on you continued as a functionary of the Communist operation, disassociated from the formal entity known as the Communist Party?

Mr. POSKONKA. Correct. That is right.

Mr. ARENS. Tell us just a word, just the identification of the Communist front groups that you served in as a functionary of the Communist operation.

Mr. POSKONKA. Well, there were quite a few.

Mr. ARENS. Just name the principal ones, please.

Mr. POSKONKA. The Midwest Committee for Protection of Foreign Born was one. I happened to be treasurer.

Mr. ARENS. Was it controlled by the Communist operation?

Mr. POSKONKA. That is right, strictly Communist. They did not protect anybody else at any time but the Communists.

Mr. ARENS. Your next assignment, please?

Mr. POSKONKA. Next, Civil Rights Congress.

Mr. ARENS. What post did you hold in the Civil Rights Congress?

Mr. POSKONKA. Member of the Illinois executive board of the Civil Rights Congress.

Mr. ARENS. The next one, please?

Mr. POSKONKA. Then at that time was also Slav Congress.

Mr. ARENS. The American Slav Congress?

Mr. POSKONKA. That is right.

Mr. ARENS. What post did you hold there?

Mr. POSKONKA. National vice president.

Mr. ARENS. Was that controlled by the operation?

Mr. POSKONKA. Yes, sir. It was also controlled by the Communists.

Mr. ARENS. Your next operation?

Mr. POSKONKA. There were National Negro Labor Council and——

Mr. ARENS. Was that controlled by the Communist operation?

Mr. POSKONKA. That is right, strictly Communist.

Mr. ARENS. All right, sir.

Mr. POSKONKA. The one following I just mentioned was the NAACP. That was not dominated yet, but well infiltrated.

Mr. ARENS. Mr. Poskonka, may I inquire on the basis of your service in the Communist operation up to and including the present instant, and your particular service in the packinghouse segment of the Communist operation, how serious is the penetration by Communists of the packinghouse industry in the greater Chicago area?

Mr. POSKONKA. It is very serious because they are dominating and any decent person of any kind that might be a decent American citizen that would want to represent labor as a decent leader or decent citizen, if he is not a member of the Communists or in sympathy he could not be elected to office because he would be slammed as a union boss or racketeer of some kind.

Mr. ARENS. During all of your service in the Communist operation you have been reporting regularly to the Federal Bureau of Investigation?

Mr. POSKONKA. Right.

Mr. ARENS. Now, Mr. Poskonka, kindly tell this committee whether or not during your service in the Communist Party, as distinct now from the operations as such, did you know as a Communist a man by the name of Charles Hayes?

Mr. POSKONKA. Yes, sir.

Mr. ARENS. Give us just a word about him, please, sir.

Mr. POSKONKA. Charles Hayes happened to be one of the very persons—when the Packinghouse Section happened to be formed he was one of the first secretaries of the Packinghouse Section and he served in the Communist Party ever since.

Mr. ARENS. Did you know as a Communist a man by the name of Sam Parks?

Mr. POSKONKA. Yes, sir.

Mr. ARENS. Just a word about him, please, sir?

Mr. POSKONKA. He also worked on the same basis. He was also one of the representatives.

Mr. ARENS. Mr. Poskonka, may I interrupt you? It is obvious to me and it must be to the committee that you are a little tense today, and I don't condemn you for it at all because it was a tense life you led in the Communist operation at the behest of your Government. I wonder if in your presentation here, if you could slow down a little bit.

Did you know as a Communist a person by the name of Leon Beverly?

Mr. POSKONKA. Yes, sir, also.

Mr. ARENS. Just a word about Leon Beverly, please?

Mr. POSKONKA. He also was one of the leaders of this Communist Party in section of Armour & Co. branch.

Mr. ARENS. Did you know as a Communist a person by the name of Jesse Prosten, P-r-o-s-t-e-n?

Mr. POSKONKA. Yes. He belonged to the Back-of-the-Yards Club and then also was transferred into the Packinghouse Section.

Mr. ARENS. To your certain knowledge was Jesse Prosten a member of the Communist Party?

Mr. POSKONKA. Yes, sir; he was a member and a cardholder at the same time.

Mr. ARENS. What was his status within the packinghouse operation of the Communist Party?

Mr. POSKONKA. He was a top ax. Anybody that didn't meet his approval, nobody could get a job or even serve on any committee or serve the union.

Mr. ARENS. What union?

Mr. POSKONKA. Packinghouse union.

Mr. ARENS. You mean the United Packinghouse Workers?

Mr. POSKONKA. That is right. I am referring to the United Packinghouse Workers.

Mr. ARENS. Did you know as a Communist a person by the name of Jack Souther?

Mr. POSKONKA. Yes, sir; he served as the treasurer to the Packinghouse Section.

Mr. ARENS. Did you know as a Communist a person by the name of Leslie Orear?

Mr. POSKONKA. Yes, sir. From the very beginning he also was a member of the Back-of-the-Yards Club.

Mr. ARENS. Did you know as a Communist a person by the name of Joe Zabritski?

Mr. POSKONKA. Yes, sir. He was a treasurer, the very first treasurer of the Packinghouse Section, Communist Party.

Mr. ARENS. Did you know as a Communist a person by the name of John Lewis?

Mr. POSKONKA. John Lewis happened to be a schoolmate. We were attending the Communist Party Workers School in August of 1945. He attended the school along with me, the class.

Mr. ARENS. Mr. Poskonka, you have been interrogated extensively, both formally and informally in private sessions by this committee, have you not?

Mr. POSKONKA. I sure have.

Mr. ARENS. I do not want at this time, if the chairman please, to go into matters that would either duplicate information that has been presented to this committee by other witnesses or matters which are not germane to the immediate subject of inquiry.

Therefore, I have only a few more questions to pose to you.

Based upon your background and experience in the Communist operation, do you have information respecting the dissemination into

other areas of Communist agents who will be following the meat packing decentralization program into other States?

Mr. POSKONKA. Yes. As far as I know from the time, teaching in our class, they were to cover all food industry or anything that is allied, any concerns, regardless, not only Chicago but any part of the country.

Mr. ARENS. It is our information, and we are not by any means experts, or even amateurs, on the meatpacking industry, but that there are, in addition to the meatpacking operations in the greater Chicago area, smaller operations in the adjoining States. Are you cognizant of that?

Mr. POSKONKA. That is right.

Mr. ARENS. Has the nest of Communist agents in the greater Chicago area in the meatpacking industry undertaken to penetrate in the adjoining States?

Mr. POSKONKA. Their aim is to cover every part of the country, every industry that is allied with food.

Mr. ARENS. What areas, what States, what localities have been the targets of the operation from the Chicago center by the comrades?

Mr. POSKONKA. From Chicago, our Chicago district right now, before used to cover, Indiana, Illinois, and part of Wisconsin. Now it has been enlarged. So we are covering Ohio, Michigan, Illinois, Indiana, and I don't know, one other State. I don't know exactly what the district covers, all States. But anyway they are to cover all the States there are in District No. 1.

Mr. ARENS. Now have the comrades here in this centralized, focal point of Communist operation in the meat industry sent some of their membership as colonizers or as agents to these other localities?

Mr. POSKONKA. Yes, sir, they did. That is a part of their job.

Mr. ARENS. You have discussed that in detail in executive session with this committee?

Mr. POSKONKA. That is right.

Mr. ARENS. Have you received communications from the Communist operation since this committee has been in town on these hearings?

Mr. POSKONKA. Yes, I have. Do you want this or want me to read it or what?

Mr. ARENS. Just allude to them, please, sir. I don't want at this time to get into the extraneous matter beyond just the reference to the fact that you have been currently contacted by the conspiracy or the operation to do certain things.

Mr. POSKONKA. This is an invitation.

Mr. ARENS. Would you just tell us the various organizations controlled by the conspiracy which have been in communication with you in the course of the last few days?

Mr. POSKONKA. This is Midwest Committee for Protection of Foreign Born. They invited me to attend their conference that is going to take place May 12.

Mr. ARENS. Are there any other similar communications that have come to your attention in the last few days?

Mr. POSKONKA. There was another one. Just a minute. This is an open letter, religious piece, invites you to second public conversation. A meeting was taking place Thursday evening April 30, 1959.

Mr. ARENS. Have you received similar communications?

Mr. POSKONKA. That is it.

Mr. ARENS. These communications relate to the surface operations of the conspiracy, do they not?

Mr. POSKONKA. That is right.

Mr. ARENS. Have you over the course of the last few years been concentrating on behalf of the conspiracy in the surface work?

Mr. POSKONKA. Oh, yes, yes. That is what I was asked to do, and I go out and do a good job. Not only that but the most important part lately which is a long-range program is the farm labor unit covering various fairs, State fairs, county fairs, and so on, using propaganda to get the farmer and labor, in order to get them in one political party, the same as is taking place in Russia.

Mr. ARENS. I do not think there are other areas which are presently germane to the scope of inquiry which the committee has at this time. We want to thank you for the information which you have supplied to us, not only here, but principally in executive session and in consultation with the staff on a vast array of activities.

Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. May I ask a couple of questions?

Where were you born?

Mr. POSKONKA. Chicago, Ill.

Mr. WILLIS. Did I understand you to say you have a family?

Mr. POSKONKA. Yes. I have a family, wife and eight children.

Mr. WILLIS. How many children?

Mr. POSKONKA. Wife and eight children. Fifteen grandchildren.

Mr. WILLIS. And you have been reporting to the FBI regularly in connection with the work you have been doing?

Mr. POSKONKA. From 1943 on until last September of 1958.

Mr. WILLIS. I suppose the reports are not regular. There might be many reports at one time and fewer reports at other times.

Mr. POSKONKA. Correct, it depends on the amount of activity.

Mr. WILLIS. I want to say this to you, sir, that we have had experience with American citizens who were asked by the FBI to assist the Government in assembling facts and data and information concerning the machinations of the Communist conspiracy. I do not know whether you know it, but I suppose you do, you have been with that organization long enough that before they picked you out they thoroughly investigated you. If you are good enough for J. Edgar Hoover, you are good enough for me. And I want to express the thanks of the committee on our own behalf and on behalf of the Congress of the United States.

Mr. POSKONKA. May I say something? I would like to correct something. I mean not correct, but I want to add on, that I wish to thank the United States Government in the first place for giving me this chance. Also at the same time I wish to state there are a couple of errors that had taken place previously where I had been pinpointed as a Communist. The hearings in 1952, at the time when I was pinpointed out by Roy Thompson, a guy which testified for the Bureau.

Mr. WILLIS. He was testifying truthfully.

Mr. POSKONKA. But at the same time my family and myself have been discriminated very badly and hurt, cut up to pieces because people pointed and thrown bricks and slapped me in the face and done everything imaginable because the neighborhood I lived in, there are no Communists and they can't stand a Communist.

Mr. WILLIS. That is always the case.

Mr. POSKONKA. Just a minute. Also in 1956, the same thing, the kid was going to school, was pointed out; and I was coming home from church. People out of the church would come out and say, "Here goes a Communist."

Mr. ARENS. You stayed in the operation?

Mr. POSKONKA. Yes. Serve our country and American flag. There is nothing better, worth fighting for.

Mr. ARENS. Thank you very much.

Mr. WILLIS. Some of the very people critical of you were also people working under the auspices or at the behest of the Government?

Mr. POSKONKA. That is right.

Mr. WILLIS. Thank you so much.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. John P. Lewis.

Please come forward.

Mr. LEWIS. Mr. Chairman, would you call the name given you? It is John Lewis, plain John Lewis.

Mr. ARENS. John Lewis?

Mr. LEWIS. That is right.

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEWIS. I do.

H.C.U.A. 5/7/59

TESTIMONY OF JOHN LEWIS, ACCOMPANIED BY COUNSEL,

BELFORD V. LAWSON, JR.

6-2/11/59, Natchez, Miss.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. LEWIS. John Lewis, 5400 South Woodlawn Avenue, Chicago; Ill.; work at the Swift packing plant.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. LEWIS. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. LEWIS. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. ARENS. How long have you been employed at your present place of employment?

Mr. LEWIS. Since 1924.

Mr. ARENS. Have you in the course of your employment been active in the United Public Workers?

Mr. LEWIS. I remember—no.

Mr. ARENS. Excuse me. The United Packinghouse Workers?

Mr. LEWIS. Right.

Mr. ARENS. What office have you held?

Mr. LEWIS. I have held vice president, president, and chief steward.

Mr. ARENS. Of what?

Mr. LEWIS. Of the United Packinghouse Workers of America, AFL-CIO.

Mr. ARENS. Was that of a local?

Mr. LEWIS. One local.

Mr. ARENS. What local, please?

Mr. LEWIS. Local 28.

Mr. ARENS. Where does it operate?

Mr. LEWIS. At the district headquarters, 4859 South Wabash Avenue, and we have a suboffice at 4306 South Ashland.

Mr. ARENS. Over what period of time did you hold these various offices to which you have just referred?

Mr. LEWIS. 1949, I was first elected in 1949, 1950, and 1951. I was president. In 1952 I was chief steward of the local. In 1953 I didn't run for anything. In 1954 I went back for vice president. In 1955 I went back for vice president; in 1956, 1957, 1958 I went back again for president, and 1959 I ran back for president.

Mr. WILLIS. And were you elected?

Mr. LEWIS. And was elected; yes, sir.

Mr. ARENS. Are you presently then the president of this local?

Mr. LEWIS. Yes, sir.

Mr. ARENS. Where and when were you born?

Mr. LEWIS. February 11, 1905.

Mr. ARENS. Where?

Mr. LEWIS. In Natchez, Miss.

Mr. ARENS. Give us just a word, please, about your education?

Mr. LEWIS. Finished the elementary school.

Mr. ARENS. When?

Mr. LEWIS. About 40 years ago.

Mr. ARENS. Since about 1924 you say you have been working at the packinghouse here?

Mr. LEWIS. Yes, sir.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. LEWIS. Never—I refuse to answer that question. Strike that. I refuse to answer that question on the fifth amendment of the Constitution of the United States and on the ground in may incriminate me.

Mr. ARENS. Do you know the man who just preceded you on the witness stand, Joseph Poskonka?

Mr. LEWIS. I do.

Mr. ARENS. He testified a few moments ago that he knew you as a member of the Communist Party. Was he in error or was he accurate?

Mr. LEWIS. I refuse to answer that question because it may incriminate me.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. LEWIS. No.

Mr. ARENS. Have you ever resigned from the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. Did you resign technical membership in the Communist Party and maintain yourself in the Communist operation so that you

could deny current membership in the Communist Party, if and when interrogated under oath?

(The witness conferred with his counsel.)

Mr. LEWIS. No.

Mr. ARENS. Have you been a member of the Communist Party at any time since the passage of the Taft-Hartley Act?

(The witness conferred with his counsel.)

Mr. LEWIS. No.

Mr. ARENS. Are you against the Communist Party?

Mr. LEWIS. Yes.

Mr. ARENS. Do you have information respecting persons who to your certain knowledge are or have been members of the Communist Party?

Mr. LEWIS. I refuse to answer that question, fifth amendment.

Mr. ARENS. If you are now against the Communist Party, why do you not tell this committee?

Mr. LEWIS. Strike the answer—repeat that question again.

Mr. ARENS. Do you have information respecting persons who to your certain knowledge are now or have been members of the Communist Party?

(The witness conferred with his counsel.)

Mr. LEWIS. I have no such knowledge.

Mr. ARENS. Do I understand you to say you have no knowledge of anyone who at any time has been a member of the Communist Party?

Mr. LEWIS. No such knowledge.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. Do you know whether or not Poskonka has been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question, fifth amendment.

Mr. ARENS. Do you know a man by the name of John Hackney?

Mr. LEWIS. I do.

Mr. ARENS. John Hackney testified that he knew you as a member of the Communist Party. Was Hackney in error when he made that statement?

Mr. LEWIS. I refuse to answer that question, fifth amendment to the Constitution of the United States, on the grounds it may incriminate me.

Mr. ARENS. Have you ever served in the Communist Party with Hackney?

Mr. LEWIS. I refuse to answer that question, fifth amendment.

Mr. ARENS. Have you ever served in the Communist Party with Joseph Poskonka?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. If you are against the Communist Party as you professed a few moments ago, why do you not tell this committee, now, while you are under oath, whether or not Hackney and Poskonka were in the Communist Party?

(The witness conferred with his counsel.)

Mr. LEWIS. I refuse to answer that question on the fifth amendment to the Constitution.

Mr. ARENS. Can you tell us whether or not a man by the name of Charles Hayes has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. Can you tell us whether or not to your certain knowledge a man by the name of Sam Parks has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. Can you tell us whether or not to your certain knowledge a man by the name of Leon Beverly has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. Can you tell us whether or not to your certain knowledge a man by the name of Jesse Prosten has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer this question on the fifth amendment.

Mr. ARENS. Can you tell us whether or not to your certain knowledge a man by the name of Jack Souther has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question.

Mr. ARENS. Can you tell us whether or not to your certain knowledge a man by the name of Leslie Orear has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer the question on the fifth amendment to the Constitution.

Mr. ARENS. Can you tell us to your certain knowledge whether a man by the name of Joe Zabritski has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment to the Constitution.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Charles Proctor.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PROCTOR. I do.

H.C.U.A. 5/7/59
TESTIMONY OF CHARLES PROCTOR, ACCOMPANIED BY COUNSEL,
BELFORD V. LAWSON, JR.

b. 1/21/13, Jackson, Miss.
Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. PROCTOR. Charles Proctor, Post Office Box 302, Covert, Mich., presently hired as manager of the Packinghouse Labor and Community Center.

Proctor, Chas. Jhr

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities.

Mr. PROCTOR. That is right.

Mr. ARENS. You are represented by counsel?

Mr. PROCTOR. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. ARENS. How long have you occupied your present position?

Mr. PROCTOR. Since January of this year.

Mr. ARENS. What was your position immediately prior to your present position?

Mr. PROCTOR. Unemployed.

Mr. ARENS. For how long?

Mr. PROCTOR. Approximately a couple of months.

Mr. ARENS. Then what was your employment?

Mr. PROCTOR. Prior to that time?

Mr. ARENS. Yes.

Mr. PROCTOR. Prior to that time I worked for Local 28 for awhile, full time.

Mr. ARENS. Local 28 of what?

Mr. PROCTOR. United Packinghouse Workers of America, AFL-CIO.

Mr. ARENS. Were you employed then, when you worked for Local 28, in Chicago?

Mr. PROCTOR. That is right.

Mr. ARENS. In what capacity?

Mr. PROCTOR. I don't understand your question.

Mr. ARENS. You worked for Local 28 of the United Packinghouse Workers in Chicago, you said. And I asked you in what capacity. What was the job you had with them?

Mr. PROCTOR. As chairman of the grievance committee.

Mr. ARENS. How long did you have that job?

Mr. PROCTOR. I have held that job since 1954.

Mr. ARENS. What was your job prior to that time?

Mr. PROCTOR. Prior to that time I was working, just working in the plant at that time.

Mr. ARENS. Did you have any connection prior to that time with the United Packinghouse Workers of America?

Mr. PROCTOR. I didn't hold office. I was only a member. I did hold office once before from 1949 up until 1951.

Mr. ARENS. Where and when were you born?

Mr. PROCTOR. I was born in Jackson, Miss., January 21, 1913.

Mr. ARENS. How long have you been employed in the general Chicago area?

Mr. PROCTOR. Around approximately 16 years.

Mr. ARENS. Have you ever traveled abroad?

Mr. PROCTOR. I have.

Mr. ARENS. And where did you go and when?

(The witness conferred with his counsel.)

Mr. PROCTOR. I refuse to answer that question for fear it may incriminate me.

Mr. ARENS. I lay before you now three documents, the first of which is a photostatic reproduction of the January 7, 1951, issue of The Worker Magazine. I invite your attention to the photograph under which is captioned "Part of the American Peace Delegation visiting one of the cathedrals inside the Kremlin," listing a number of visitors, including Charles Proctor, of Chicago. Kindly look at that article and, particularly that photograph and tell this committee while you are under oath whether or not you are the Charles Proctor whose photograph appears there and who was a member of this delegation described in The Worker Magazine.

(Document handed.)

(The witness conferred with his counsel.)

Mr. PROCTOR. I refuse to answer that question based upon it may incriminate me.

Mr. ARENS. I lay before you a second document, a photostatic reproduction of the Communist Daily Worker of March 21, 1951, in which a number of people are quoted as lauding the Soviet Union and commending its progress and desire for peace at a rally held in Cleveland, Ohio, including a person here identified as Charles Proctor, who had returned to the United States from Soviet Russia.

Kindly look at this document and tell the committee whether or not it refreshes your recollection, whether or not you are the Charles Proctor who participated in that rally and lauded the Soviet Union.

(Document handed.)

(The witness conferred with his counsel.)

Mr. PROCTOR. I refuse to answer that question based upon the fact it may incriminate me.

Mr. ARENS. I lay before you now a booklet entitled "Americans in the U.S.S.R., November-December 1950," containing a statement signed by the American Delegation to the Soviet Union, including Charles Proctor, of Chicago. A photograph also appears at the end of the statement.

Kindly look at that document and tell this committee whether or not you were a participant in that enterprise and loaned your name and your then title to the enterprise on behalf of the Soviet Union.

Mr. PROCTOR. I refuse to answer that question based upon the fifth amendment to the Constitution.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that you did participate in the Second World Peace Congress, that you did go, not only to the Soviet Union, but to Warsaw, Poland, for the propaganda purposes of the international Communist movement. If that is not true, please deny it while you are under oath.

Mr. PROCTOR. I refuse to answer that question based on the fifth amendment to the Constitution.

Mr. ARENS. Mr. Chairman, I respectfully suggest that these three exhibits which I have displayed to the witness be grouped and marked as "Proctor Exhibit No. 1" and incorporated by reference in the record.

Mr. WILLIS. Let them be so marked and incorporated.

(Documents marked "Proctor Exhibit No. 1," and retained in committee files.)

Mr. ARENS. Do you know a man by the name of Poskonka?

Mr. PROCTOR. I do.

Mr. ARENS. Do you know a man by the name of John Hackney?

Mr. PROCTOR. I do.

Mr. ARENS. Both of those men took an oath before this committee and testified that while they were members of the Communist Party they knew you as a Communist. Were they in error or were they telling the truth?

Mr. PROCTOR. I refuse to answer that question based upon the fifth amendment of the Constitution.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. PROCTOR. I am not a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. PROCTOR. I refuse to answer that question based upon the fifth amendment of the Constitution.

Mr. ARENS. Have you ever been a member of the Communist Party at any time in the course of the last 5 years?

Mr. PROCTOR. No; I have not.

Mr. ARENS. Have you ever resigned technical membership in the Communist Party and maintained yourself in the operation so that you could deny party membership?

Mr. PROCTOR. No, I have not.

Mr. ARENS. Do you presently have information respecting persons who to your certain knowledge are, or in the past have been, members of the Communist Party?

Mr. PROCTOR. I certainly do not.

Mr. ARENS. You do not know any persons who have ever been members of the Communist Party?

Mr. PROCTOR. I refuse to answer that question based upon the fifth amendment to the Constitution.

Mr. ARENS. Are you now against the Communist Party?

Mr. PROCTOR. I am.

Mr. ARENS. If you are against the Communist Party then speak up now, please, sir, and tell this committee the names and activities of persons, to your certain knowledge, who have been members of the Communist Party.

Mr. PROCTOR. I refuse to answer that question based upon the fifth amendment of the Constitution.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Donald H. Smith.

Please come forward, Mr. Smith, and remain standing while the chairman administers an oath.

Mr. WILLIS. Would you please raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SMITH. I do.

Donald H. Smith
COMMUNIST INFILTRATION OF VITAL INDUSTRIES—CHICAGO 651
H.C.D.B. 5/2/59
TESTIMONY OF DONALD H. SMITH, ACCOMPANIED BY COUNSEL,
BELFORD V. LAWSON, JR. *Chie*

Mr. ARENS. Please identify yourself by name, residence, and occupation. *Chie*

Mr. SMITH. Donald H. Smith, 9711 South Indiana, Chicago, international representative, United Packinghouse Workers of America, AFL-CIO.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. SMITH. That is right.

Mr. ARENS. And you are represented by counsel?

Mr. SMITH. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. ARENS. Where and when were you born?

Mr. SMITH. Denver, Colo., May 6, 1913.

Mr. ARENS. And a word about your education, please.

Mr. SMITH. Well, eight grades.

Mr. ARENS. Give us the principal employments which you have had since you reached adulthood.

Mr. SMITH. Oh, I worked as a truckdriver, laborer, packinghouse worker.

Mr. ARENS. Over what period of time have you worked as a packinghouse worker?

Mr. SMITH. From 1938 up until about 1946, then was on leave of absence from Swift & Co., which later was severed on the account of the plant closing down or reduction in the plant. And I have been working for the Packinghouse Workers from 1946 up until now.

Mr. ARENS. Did you work for the Packinghouse Workers in New York at any time?

Mr. SMITH. That is right.

Mr. ARENS. Over what period of time did you work for the Packinghouse Workers in New York?

Mr. SMITH. I would say from 1946 up until 19—well, working in and out of New York up until 1956, I believe.

Mr. ARENS. In what capacity?

Mr. SMITH. Field representative and international representative.

Mr. ARENS. Have you ever been a candidate for public office?

(The witness conferred with his counsel.)

Mr. SMITH. I have.

Mr. ARENS. And where was that?

Mr. SMITH. New York.

Mr. ARENS. Do you know a man by the name of John Hackney?

Mr. SMITH. I do.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

Mr. SMITH. I do.

Mr. ARENS. Each of these men has testified here under oath that he knew you as a member of the Communist Party. Were they in error on that or were they telling the truth?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Can you tell this committee whether or not in 1948 you participated in a movement on behalf of the 11 Communists who were tried in New York City?

(The witness conferred with his counsel.)

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. I lay before you now a photostatic reproduction of the Communist Daily Worker of New York, Friday July 23, 1948, in which a number of persons are listed here with statements on behalf of the 11 Communists who were being tried, and in the article the following appears:

Don Smith, New York subdistrict director, United Packinghouse Workers, CIO, and ALP candidate for State senator, fifth district, Queens;

"The indictment and arrest of the leaders of the Communist Party is the next monstrous step in the direction of the suppression of freedom and toward war."

Kindly look at that article as I display it to you, and tell this committee if it refreshes your recollection and whether or not you loaned your name and your status as a leader of the United Packinghouse Workers on behalf of the 11 Communists.

(Document handed.)

(The witness conferred with his counsel.)

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

(Document marked "Smith Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Have you been one of the sponsors of the May Day celebrations of the Communist operation?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Have you been one of the sponsors and promoters of the Action Conference for Freedom?

Mr. SMITH. I refuse to—

Mr. ARENS. Under the auspices and control of the Communist Party?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. SMITH. I am not.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Have you been a member of the Communist Party any time in the course of the last 5 years?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Have you ever resigned from the Communist Party?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Are you against the Communist Party?

Mr. SMITH. I am.

Mr. ARENS. Have you information respecting persons who to your certain knowledge are or have been members of the Communist Party?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. If you are against the Communist Party, why do you not give this committee information which you may have respecting the Communist Party and respecting persons who to your certain knowledge have been members of the Communist Party?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Have you been in conference since you have been subpoenaed to appear before this committee with persons respecting your appearance who to your certain knowledge are, or in the past have been, members of the Communist Party?

Mr. SMITH. Come again on that. I didn't quite follow.

Mr. ARENS. Since you were subpoenaed to appear before this committee, have you been in conference respecting your appearance here today with persons who to your certain knowledge are, or have been, members of the Communist Party?

(The witness conferred with his counsel.)

Mr. SMITH. I will take the fifth amendment on the grounds it may incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Jesse Prosten. Please come forward.

Mr. LAWSON. If Your Honor please, may I say pursuant to the telegram you received Jesse Prosten is available. I don't know whether he is in the courtroom or not. He has not been subpoenaed and we would prefer that he be subpoenaed in order to make sure that his rights are protected. But he is available to this committee and he told me he would be here around this time. Maybe this is he coming up here now.

Mr. LEWIS. No, it isn't. It is John Lewis.

Mr. LAWSON. A little differences there. He is available and I believe he will be here.

Mr. ARENS. May I just make this observation, that as we pointed out here 2 days ago we have been trying to place this prospective witness under subpoena and have been unable to do so. A telegram came from Ralph Helstein, I don't have it before me at the instant, saying in effect that Mr. Prosten wanted to be heard and would be here. We have no other witnesses who are under subpoena for this particular session and in anticipation that he might be here we are calling him as a witness.

Mr. LAWSON. But he is not under subpoena.

Mr. ARENS. No. We would like very much to have had him under subpoena.

Mr. LAWSON. And he has not been hiding out. I have talked with him and he assured me that he had been on this assignment for some time. But out of an abundance of caution the union undertook to notify him and he has come here and I have talked with him. Now, I think that is all we can do. And I do know he will be here.

Mr. ARENS. Counsel, do you represent him?

Mr. LAWSON. Yes, I do.

Mr. WILLIS. Let me say this, as presiding member. We will be glad to have him officially summoned if he presents himself during

a 5-minute recess that I will call. We would like very much to question him. He is not under compulsion to voluntarily come and be summoned and receive the subpoena and I am not suggesting that at all.

On the other hand, we plan definitely on adjourning by 12 o'clock and I would be glad to have him summoned.

In other words, on two conditions; one, he is not under compulsion to appear. If he wants to, we would be very happy to follow that course with the understanding that it will have to be done promptly.

Mr. LAWSON. We are desirous of cooperating with the committee and I think I can assure this committee that he will be here within a few minutes. I think not within 5 minutes. But he will be here shortly and we would like to have him summoned for the record.

Mr. WILLIS. I will say this. You have been most cooperative and I understand your position.

Mr. LAWSON. Thank you very much.

Mr. WILLIS. We will stand in recess for a few minutes.

(Committee members present: Representatives Willis and Johansen.)

(Brief recess.)

(Committee members present: Representatives Willis and Johansen.)

Mr. WILLIS. Kindly raise your right hand, please, sir.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God? *Jesse Prosten H.C.U.A. 5/7/59*

Mr. PROSTEN. I do.

**TESTIMONY OF JESSE E. PROSTEN, ACCOMPANIED BY COUNSEL,
BELFORD V. LAWSON, JR.**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation. *Chicago, Ill.*

Mr. PROSTEN. Jesse E. Prosten, 5109 South Cornell, I am an international representative for the United Packinghouse Workers of America.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. PROSTEN. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. PROSTEN. That is correct.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. PROSTEN. Belford Lawson, Washington, D.C.

Mr. ARENS. How long have you occupied your present position?

Mr. PROSTEN. Approximately 13 years.

Mr. ARENS. What was your employment immediately prior to your present employment? *5, 1942, Brooklyn*

Mr. PROSTEN. I worked for the same union out of New York.

Mr. ARENS. In what capacity?

Mr. PROSTEN. In a capacity of a field representative.

Mr. ARENS. And for how long?

Mr. PROSTEN. Approximately a year.

Mr. ARENS. And your employment immediately prior to that?

Mr. PROSTEN. I worked for the same union in Boston.

Mr. ARENS. For how long and in what capacity?

Mr. PROSTEN. As a business agent of a local union for approximately 6 or 7 years.

Mr. ARENS. And then give us, if you please, the preceding employment.

Mr. PROSTEN. Odd jobs, WPA, jobs of that kind.

Mr. ARENS. Where and when were you born, please?

Mr. PROSTEN. Born in Brooklyn, N.Y., in 1912.

Mr. ARENS. Just a word about your education.

Mr. PROSTEN. Grade school and a year and a half of high school.

Mr. ARENS. Did that complete your formal education?

Mr. PROSTEN. That is correct, sir.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. PROSTEN. Beg your pardon?

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. PROSTEN. I will take the fifth amendment on that, tend to incriminate me.

Mr. ARENS. Do you honestly apprehend if you told this committee truthfully while you are under oath whether or not you have ever been a member of the Communist Party you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. PROSTEN. Will you repeat that question, please?

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully while you are under oath whether or not you have ever been a member of the Communist Party you would be supplying information which might be used against you in a criminal proceeding?

Mr. PROSTEN. Yes, sir.

Mr. ARENS. Are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. PROSTEN. No, sir.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last 5 years?

Mr. PROSTEN. Fifth amendment.

Mr. ARENS. I lay before you now a photostatic reproduction of the Communist Daily Worker of May 16, 1952, in which a number of persons are urging the repeal of the Smith Act and attacking the various security laws of this Government, including, Jesse Prosten of Local 11, Boston.

Kindly look at this document and tell this committee whether or not you participated in that enterprise:

(Document handed.)

(The witness conferred with his counsel.)

Mr. PROSTEN. Fifth amendment.

(Document marked "Prosten Exhibit No. 1" and retained in committee files.)

Mr. ARENS. I lay before you now a document petitioning for the freedom of Earl Browder, then Secretary of the Communist Party, signed by a number of persons, including Jesse Prosten.

Kindly look at that document and tell this committee while you are under oath whether or not you participated in that enterprise.

Mr. PROSTEN. I will take the fifth amendment.

Mr. ARENS. I beg your pardon?

Mr. PROSTEN. I will take the fifth amendment on this, sir.

(Document marked "Prosten Exhibit No. 2" and retained in committee files.)

Mr. ARENS. Do you know a man by the name of John Hackney?

Mr. PROSTEN. I knew a member of the union by the name of John Hackney; yes, sir.

Mr. ARENS. Did you know John Hackney in any other capacity other than in his capacity as a member of the union?

Mr. PROSTEN. Fifth amendment, sir.

Mr. ARENS. Did you know Carl Nelson?

Mr. PROSTEN. I knew him as a member of the union.

Mr. ARENS. Did you know him in any other capacity?

Mr. PROSTEN. Fifth amendment, sir.

Mr. ARENS. Did you know Joseph Poskonka?

Mr. PROSTEN. Would you repeat that?

Mr. ARENS. Joseph Poskonka.

Mr. PROSTEN. I think he worked at the Armour plant in Chicago.

Mr. ARENS. Did you know him in any capacity other than as a person who worked at the Armour plant?

Mr. PROSTEN. Fifth amendment, sir.

Mr. ARENS. Each of those men has testified under oath before this committee in the course of the last 2 or 3 days that he knew you as a member of the Communist Party. We would like to afford you now an opportunity to deny their testimony while you are under oath. Do you care to avail yourself of that privilege?

Mr. PROSTEN. I can't be responsible for anything they say and I will take the fifth amendment on that.

Mr. ARENS. Did they tell the truth when they said they knew you as a Communist?

Mr. PROSTEN. Fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. You are excused. The committee will take a recess for 3 minutes.

(Committee members present: Representatives Willis and Johansen.)

(Brief recess.)

Mr. WILLIS. The subcommittee will please come to order.

(Committee members present: Representatives Willis and Johansen.)

Mr. WILLIS. In concluding the hearings in Chicago, I should like to make a few brief comments.

In the first place I want to commend those witnesses whom we have heard, who by direct testimony from their experience in the Communist Party have supplied this committee with valuable information respecting the operation of the Communist menace. Were it not for loyal citizens of that type, such as Carl Nelson, John Hackney, and Joseph Poskonka, this committee and the Government of the United States would be at a great disadvantage.

The information which these men have supplied to this committee takes on added significance when it is considered in connection with similar information which we are constantly assembling in other areas on different facets of the conspiracy. We have seen here a verification and confirmation of similar techniques and strategies practiced at nerve centers throughout our country. With reference to those witnesses who in varying degrees refused to answer questions posed by the committee, may I say that by indirection they, too, have contributed to our work, even though unwillingly or unwittingly.

We will return to Washington with the information which has been developed here and use it as part of the fund of knowledge which we are gaining to assist us in the discharge of our duties, which, under a mandate of the Congress are, in essence, to maintain a continuing surveillance over the operation of our various security laws, and to recommend, when necessary, amendments to those laws, or enactment of new laws.

I wish it were possible for the Congress of the United States to pass a single law which would for all time end the Communist conspiracy. Unfortunately, however, this cannot be done because Communists constantly seek new devices to accomplish their objectives, all of which require new legislative weapons.

Long ago it was proclaimed that eternal vigilance is the price of liberty. One of the very objectives of the Communist conspiracy in the United States is to create an attitude of apathy—it can't happen here, as the saying goes.

But here are words of J. Edgar Hoover, Director of the Federal Bureau of Investigation, on this subject.

Public apathy is the sure way to national suicide—to death of individual freedom. It allowed the Communists to penetrate and make satellites of once-free countries, and it is presently enabling them to honeycomb and weaken the structures of the remaining countries, and there is today a terrifying apathy on the part of Americans toward the deadliest danger which this country has ever faced. Some of that apathy is deliberately induced.

That is the end of Hoover's quotation.

Before concluding I should like to express the thanks of the subcommittee to Federal Judge Campbell, to Mr. Frank Allen and the members of his office staff, who have most courteously made available to us this courtroom.

We should like also to thank United States Marshal William Kipp and his capable deputies for their very splendid cooperation in permitting these hearings to go on smoothly without a ripple of public disorder.

And, finally, we should like to express our sincere thanks to the members of the press and of the radio and television profession who have been most courteous to us.

We deliberately planned our completion of our work at this time because members of this committee are due to board a plane as soon as possible to try to get on record late this afternoon on a very important vote in the Congress.

Does my colleague care to make some observations?

Mr. JOHANSEN. Just very briefly, Mr. Chairman.

First of all, I want to most emphatically associate myself with the statement made by the chairman. As the representative of the minority I want to emphasize one fact, which is familiar to every Mem-

ber of Congress, and I hope it is to the American people, and that is, that the problem we are attempting to deal with here, the solutions we are attempting to bring, and the efforts that we are making to carry out the legislative mandate and aid in the legislative functions of the Congress is a completely bipartisan effort. It is the effort of the responsible elected officials acting in accordance with the mandate of the Congress to aid in the performance of legislative functions.

Because of one type of testimony that we have had in these hearings in which it was stated that there was a willingness to tell all about the activities of the Communist conspiracy, but a refusal to identify the actors, I do want to make this one observation. It is highly unfortunate but inescapably true that the actors cannot be divorced from the activities and it is impossible for the Congress to have the information it needs and for this committee to provide that information without identifying the actors and directly linking them with the activities. Therefore, that which impedes the effort to identify the actors impedes the effort to describe and define the activities and so impedes the legislative functions of this committee.

I have just one other comment. In view of the fact that there appears on the record of this testimony a reference to a recent prominent criticism of this committee as being the most un-American thing in America today, I think it ought also to be a matter of record that the source of that comment has since made it very clear, Mr. Chairman, that it was not with reference to the committee as today constituted and as today functioning, and I am appreciative of that responsible comment which indicates an awareness of the responsibilities this committee has and the conscientious effort it is making to perform them.

I do express my appreciation for those who have cooperated with the committee and to the chairman for the eminently fair way in which he conducted it.

Mr. WILLIS. The hearings here in Chicago will be now closed.

(Committee members present: Representatives Willis and Johansen.)

(Whereupon, at 11:36 a.m., Thursday, May 7, 1959, the hearings were closed.)

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○

Office Memorandum • UNIT GOVERNMENT

TO : Director, FBI (61-7582)

FROM : SAC, Pittsburgh (100-13295)

SUBJECT: HCUA

DATE: 7/22/59

Remylet, 7/15/59.

Since the submission of relet, individual letters have been submitted to the Bureau and appropriate offices concerning the following:

Pittsburgh Division

<u>Name</u>	<u>Bufile</u>	<u>Pittsburgh file</u>
Rudolph Joseph Kranys Jr.	100-362439	100-8909

Other Divisions

<u>Name</u>	<u>Bufile</u>	<u>Origin</u>
Nathan Albert	100-46941	Philadelphia
Calvin Brook	100-296481	Chicago
	100-392562	Cleveland

b6
b7c

Out of a total of 55 letters concerning individuals residing within the Pittsburgh Division, 5 have been submitted.

Out of a total of 38 letters to be submitted concerning individuals residing within other divisions, 24 have been submitted.

A letter concerning the status of this project will be submitted on 7/29/59.

- ② - Bureau (RM)
1 - Pittsburgh

JWS/jep
(3)

03 JUL 29 1959

REC-68 61-7582-4216
EX 109 JUL 24 1959
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 31 8 1980 BY SPW/ep

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 7/22/59

FROM : SAC, BOSTON (65-4302)

SUBJECT: HOUSE COMMITTEE ON UN-AMERICAN
ACTIVITIES REPORT ENTITLED "PATTERNS
OF COMMUNIST ESPIONAGE"
 MISCELLANEOUS - INFORMATION CONCERNING
 (ESPIONAGE)

Rebulet to Baltimore dated 7/2/59

Personnel familiar with espionage cases in Boston were
 unable to identify the "Unwitting Courier" case.

In accordance with Bureau instructions set forth in
 relet, Boston is forwarding to New York and the WFO
 a photostatic copy of relet and enclosure thereto, the
 "Unwitting Courier".

New York and the WFO will attempt to identify the
 "Unwitting Courier" case through appropriate personnel
 as mentioned in relet.

-RUC-

② - Bureau (RM)
 2 - New York (Encls. 2) (RM)
 2 - WFO (Encls. 2) (RM)
 1 - Boston
 WDC:jmh
 (7)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 3/8/82 BY SP6 bld

REC-10

JUL 27 1959

EX-133

50 JUL 31 1959

ESP. SECT

DIRECTOR, FBI (61-7582)

7/23/59

SAC, LOS ANGELES (100-20874)

CHARLOTTA A. BASS
SECURITY MATTER - C.

Re Washington Field Office letter to Bureau 5/29/59
captioned HCUA.

House
The Subcommittee of the Committee on Un-American Activities of the House of Representatives met in executive session at Los Angeles, California on 9/2 and 3/58. The testimony received in this hearing has been released by the Committee and ordered to be printed. The testimony has been printed in booklet form and is titled "The Southern California District of the Communist Party, Structure - Objective - Leadership."

On page 70 of this booklet it is recorded that the Committee entered in evidence under Alexander Exhibit Number 6, a copy of a document described as the appointment of members of the State Central Committee in the year 1954 for the Independent Progressive Party. This document states that Mrs. CHARLOTTA A. BASS was appointed as one of three voters who will be a member of the State Central Committee for the IPP to attend a meeting on 8/8/54.

CHARLOTTA A. BASS has been the subject of extensive Bureau investigation. She is currently carried on the Security Index of this office. The fact that she was appointed to the IPP State Central Committee has been previously reported and no action is being taken based on the evidence entered at the HCUA hearing. BASS is not being considered for an interview at this time, and this case is being placed in closed status.

Bureau (REGISTERED)
2-Los Angeles
(1-100-20874)
(1-62-1664)

WGR:SAN
(4)

53 JUL 30 1959

61-7572-
NOT RECORDED
186 JUL 28 1959

164
FEB 16 1972
RECORDED ORIGINAL-RETRAI

ORIGINAL FILED IN 100-297187-71

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/1/82 BY 606 bja/et

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (61-7582)

DATE: 7/24/59

FROM : SAC, WFO (100-22169)

ATTN: RECORDS SECTION

SUBJECT: HCUA

HCUA has prepared a publication entitled, "Control of Arts in the Communist Empire" -- Consultation with IVAN P. BAHRTANY.

Three copies of this publication are enclosed for the Bureau and two copies are enclosed for the NYO.

- ② - Bureau (Encls. - 3)
 1 - New York (Encls. - 2) (RM)
 1 - WFO

JAC:bjl
 (4)

ENCL. BEHIND FILE

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 3/8/82 BY SP6 BJB/STW

REC- 71

61-7582-4218

REC- 30
EX.

EX-132

JUL 27 1959

53 AUG 5 1959

SUBV. CONTROL

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

FROM : SAC, BALTIMORE (65-2739)

DATE: July 20, 1959

SUBJECT:

HOUSE COMMITTEE ON UN-AMERICAN
ACTIVITIES REPORT ENTITLED "PATTERNS
OF COMMUNIST ESPIONAGE"
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE)

Re Bureau letter to Baltimore dated July 2, 1959.

A review of the excerpt enclosed to relet was made and appropriate canvassing of Agent personnel of the Baltimore Office who could reasonably be expected to recall cases of that kind. None of the Agents canvassed could recall any such case. Even though Baltimore realizes that the individual's name in referenced Bureau letter and enclosed excerpt were fictitious, a review of Baltimore indices were made.

Indices of the Baltimore Office were checked on ROSA KARASIK; however, no record on this individual was located.

No information on a [] was found in the indices of the Baltimore Office which would identify him in any way with the individual in the excerpt attached to referenced Bureau letter.

b6
b7c

There are enclosed herewith for WFO a copy of referenced Bureau letter and a copy of insert enclosed thereto.

WFO is requested to conduct the necessary review requested by Bureau in referenced Bureau letter in an effort to identify these cases.

No further action this matter Baltimore and case is considered closed.

EX 109

- 2 - Bureau (REGISTERED MAIL)
1 - WFO (REGISTERED MAIL) (Enclosures 2)
1 - Baltimore

BFN:dfm
(4)

REC-20

JUL 23 1959

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/6/80 BY SP-6

50 JUL 31 1959

100 04 1000

EX-109
b6
b7c

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: July 24, 1959

FROM : Mr. F. J. Baumgardner

1 - Mr. Belmont
 1 - Mr. DeLoach
 1 - Mr. Baumgardner
 1 - Mr. Bland
 1 - Mr. [unclear]

Tolson _____
 Belmont _____
 Mohr _____
 DeLoach _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Holloman _____
 Gandy _____

SUBJECT: COMMUNIST TRAINING OPERATIONS
 HEARING BEFORE HOUSE COMMITTEE
 UN-AMERICAN ACTIVITIES
 PUBLIC SESSION
 July 21, 1959

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 3/6/80 BY 60301

Enclosed is a Photostat of a transcript of a hearing before the House Committee on Un-American Activities (HCUA) on July 21, 1959. The original transcript was obtained by Mr. DeLoach's office on July 23, 1959.

On July 21, 1959, the HCUA began a three-day hearing on communist training operations in the United States. Chairman Walter, in his opening statement, pointed out that the purpose of the hearing was to look into the activities of individual communists who were engaged in teaching in noncommunist institutions as well as in all types of forums and schools operated by the Communist Party itself. Walter noted that James Jackson, one of the top communist conspirators in the United States, recently returned from Russia and issued orders from the Kremlin to the Party in this country to intensify the training of key revolutionaries in sabotage, subversion and penetration. (We have no knowledge of any such orders being delivered by Jackson to Party officials upon his return to this country. HCUA has been requested to advise us of the source of this information.)

Walter noted that after the Subversive Activities Control Board (SACB) had ordered the Jefferson School of Social Science (JSSS) to register as a communist front organization on June 30, 1955, the Communist Party dissolved the JSSS and created a new school known as the Faculty of Social Science (FSS). Walter said that the FSS is the present communist screening school and is actually the successor to the JSSS.

Frank S. Meyer, a self-admitted former Communist Party member in England, France and the United States, appeared as a friendly witness. Meyer had taught extensively at Communist Party schools in this country including the JSSS. He testified that the Communist Party in this country, despite the fact that its members are, by percentage, considerably below the 1945 or 1946 membership, is strong, lithe and determined. Meyer testified as to his experience in the communist educational field, describing all phases of this field from the forums and classes not openly identified as communist, through the club, section, district, national and international Communist Party training schools. Utilizing a chart, Meyer identified almost all of the instructors and courses presently being taught at the FSS as identical with the instructors and courses formerly taught at the JSSS. Meyer's testimony was highly praised by Walter and other committee members.

64-7582-4220 AUG 10 1959
 Enclosure

Memorandum for Mr. Belmont
RE: COMMUNIST TRAINING OPERATIONS
HEARING BEFORE HCUA
PUBLIC SESSION
7/21/59

The following individuals, all of whom are included in the Security Index, appeared in response to subpoenas..

- 1) HAROLD COLLINS, secretary of and instructor at the FSS. Collins took the Fifth Amendment to all questions other than his name and address.
- 2) MEYER WEISE, instructor at the FSS. Also took the Fifth Amendment as to all questions except his name and address.
- 3) IRVING POTASH, national labor secretary, Communist Party, USA, and instructor at the FSS. Potash took the Fifth Amendment as to all questions except his name and citizenship status. After admitting he was not a United States citizen, Potash was questioned intensely by Dick Arens regarding his deportation to Poland and his illegal re-entry into the United States. After Potash refused to answer these questions, Acting Chairman Jackson inquired why Potash had not been deported again. When Arens could not answer questions, Jackson ordered Arens to check into Potash's status for the record.

COMMENT: Immigration and Naturalization Service (INS) has been unable to again deport Potash because Poland has refused to again accept him, (obviously because the Communist Party wants to keep Potash in this country) and since INS has found no other country to accept him.

- 4) HYMAN LUMER, national educational chairman, Communist Party, USA, who has just completed a series of secret Communist Party training schools in New York, Detroit, Los Angeles, San Francisco and Seattle. Lumer took the Fifth Amendment as to all questions except his name and address and educational background.

ACTION:

This memorandum has been prepared for information. The portions of the transcript relating to the various witnesses will be transmitted to the interested offices by separate communications.

MB *cor* *Jack*

↓
Done by letter
7/28/59
ESP: pat

Office

dum

UNIT

GOVERNMENT

TO : Mr. Tolson

FROM : C. D. DeLoach

SUBJECT: DICK ARENS

HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES (HCUA)

DATE: July 23, 1959

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/5/82 BY SP5 BJS/CP

Tolson _____
 Belmont _____
 DeLoach _____
 McGuire _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Holloman _____
 Gandy _____

Arens called Kemper late yesterday afternoon and said that he had just received a call from one Irving Rubin of Detroit who was kicking up a real fuss over the fact that the Crane Studios of Detroit had been mentioned in hearings as being the location of Communist Party schools being held in that city. Rubin told Arens that he ran a legitimate business and that the publicity was doing him a great deal of harm. Arens wanted some guidance in the matter. He said if there were another Crane Studios in Detroit, he would issue a press release to that effect.

The following facts were developed in this regard:

Detroit airtel dated 6/23/59 indicates that the Michigan Communist Party District Marxist School began on Saturday, 6/20/59 and was located at the Crane Studios, 5212 Crane, Detroit. The studios are located behind the residence of [redacted] (Detroit Communist Party members.) Hyman Lumer, National Education Director, Communist Party, was an instructor at this school.

A review of the files of [redacted] indicates that [redacted] at her home (hence the term "Crane Studios"). [redacted] also plays the piano in Detroit nightclubs.

Irving Rubin (or Reuben) is not identifiable in Bufiles.

Detroit Mich.

The current Detroit Telephone Directory reflects Craine Studios with general offices at 6941 Schaefer Dea. A downtown studio is located at 210 Francis Palms Building, and a northwest studio at 19456 Livernois. These are photographic (not music) studios. The Detroit phone book also indicates a number of individuals by the name of Irving Rubin, but none with an address identical with the Crane or Craine Studios address. No Irving Reuben in phone book.

b6
b7c

1 - Mr. Belmont

ECK:geg
(3)

80 AUG 6 1959

EX 102

REC- 15

EX-138

JUL 28 1959

CRIME REC.

UNRECORDED COPY FILED IN 100-3-71-2035

DeLoach to Tolson memo

In other words, from available data here at the Bureau, we are not able to determine what relationship, if any, Irving Rubin has to Crane or Craine Studios.

RECOMMENDATION:

That Kemper call Arens and furnish the above information concerning the photographic studios.

Kemper
7/23

Tolson

OK
2

Done

4 20 PM

7-23-59

ect

Office

UNITED STATES GOVERNMENT

TO : Director, FBI (61-7582)

DATE: 7/29/59

FROM : SAC, Pittsburgh (100-13295)

SUBJECT: HCUAmg
Remylet, 7/22/59.

Since the submission of relet, individual letters have been submitted to the Bureau and appropriate offices concerning the following:

Pittsburgh Division

<u>Name</u>	<u>Bufile</u>	<u>Pittsburgh file</u>
Genne Eva Kuhn	100-260690	100-8549
Mark Plummer Lovett	100-259137	100-7254
Norma Quinn	100-395894	100-10797
John Regan	100-398500	100-10428
	100-362882	100-7763

b6
b7COther Divisions

<u>Name</u>	<u>Bufile</u>	<u>Origin</u>
Arthur Bartl	105-355281	Chicago
Daisy Bartl	100-199310	Chicago

Out of a total of 55 letters concerning individuals residing within the Pittsburgh Division, 9 have been submitted.

Out of a total of 38 letters to be submitted concerning individuals residing within other divisions, 26 have been submitted.

A letter concerning the status of this project will be submitted on 8/5/59.

- 2 - Bureau (RM)
1 - Pittsburgh

DGH/jep
(3)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/6/62 BY SP6 b18
REG 38

61-7582-4222
23 JUL 30 1959

SUBV. CONTROL

60 AUG 3 1959

7/27/59

AIRTEL

TO: DIRECTOR, FBI (100-405466)

FROM: SAC, NEW YORK (100-115509)

SUBJECT: [REDACTED]

SI-C
HCUA

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/62 BY [REDACTED]

b6
b7C

[REDACTED] was contacted on 7/23/59, to ascertain his present attitude and informant potential. He speaks little English and was interviewed in Spanish.

Although friendly, [REDACTED] advised that he had no interest or desire to become reactivated in any subversive organization.

At conclusion of interview [REDACTED] exhibited HCUA subpoena issued 7/22/59, commanding [REDACTED] to appear Wednesday at 10:00 a.m. in Court Room 35, 1st Floor, U.S. Court House, Foley Square, NYC. The subpoena was served 7/23/59.

NYO files reflect that all pertinent information concerning [REDACTED] has been reported. There has been no evidence of cp activity by [REDACTED] since his arrival from Puerto Rico in early 1935.

b6
b7C

His present residence is apartment 12, [REDACTED], Bronx, NY. He is employed as a [REDACTED]. He is married and has a young daughter.

4-Bureau (100-405466) [REDACTED] RM
(1-51-7582) (HCUA)

1-New York [REDACTED]
1-New York (100-118267) [REDACTED] (RM)
1-New York (100-115509) (HCUA) (RM)

REB:pcl
(3)

161-7582
NOT RECORDED
168 JUL 30 1959

b6
b7C
b7D

50 JUL 31 1959

1 - Bland
1 - DeLoach
1 - Mohr
1 - Rosen
1 - Sullivan
1 - Tavel
1 - Trotter
1 - Tele. Room
1 - Holmes
1 - Gandy

SAC, New York

July 28, 1959

Director, FBI (61-7582)

COMMUNIST TRAINING OPERATIONS
HEARING BEFORE HOUSE COMMITTEE ON
UN-AMERICAN ACTIVITIES
PUBLIC SESSION
July 21, 1959

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/62 BY SP6 BJB
2/10/93 10/20/04/100

Attached is a Photostat of a transcript of a hearing before the House Committee on Un-American Activities (HCUA) on July 21, 1959, the purpose of which, as stated by Chairman Walter, was to look into the activities of individual communists who were engaged in teaching in noncommunist institutions as well as in all types of forums and schools operated by the Communist Party itself. Chairman Walter noted that after the Subversive Activities Control Board (SACB) had ordered the Jefferson School of Social Science to register as a communist front organization on June 30, 1955, the Communist Party dissolved the Jefferson School and created a new school known as the Faculty of Social Science. Walter said the Faculty of Social Science is actually the successor to the Jefferson School of Social Science.

Following the testimony of friendly witness Frank S. Meyer, New York Security Index subjects Hyman Lumer, Irving Potash, Harold Collins and Meyer Weise appeared before the Committee in response to subpoenas. Lumer, Potash, Weise and Collins relied almost entirely on the various constitutional amendments in refusing to answer questions regarding their Communist Party membership and activities.

The attached transcript should be reviewed and pertinent data included in the next investigative reports prepared regarding Lumer, Potash, Weise and Collins. Any other action indicated as a result of the review of the attached transcript should also be taken by the New York Office.

Enclosure 1 - 100-46878 (Frank Meyer) 1 - 100-293323 (Meyer Weise)
1 - 62-21381 (Potash) 1 - 100-235404 (Harold Collins)
1 - 100-71811 (Lumer) 1 - 100-227027 (JSSS)

EBR:pat
(13)

REC-63

MAILED 31

JUL 28 1959

COMM-FBI

EX-140

JUL 30 1959

62 AUG 3 1959

MAIL ROOM ☐ TELETYPE UNIT ☐

UNRECORDED COPY FILED IN 100-46878-100-71811-100-293323-100-235404-100-227027

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (61-7582)

DATE: 7/31/59

FROM : SAC, WFO (100-22169)

ATTENTION: RECORDS SECTION

SUBJECT: HCUA
1111

95311

HCUA held hearings on April 22, 23, 24, and June 5, 1959, regarding Passport Security. The following individuals testified at these hearings:

Racine WILLIAM L. PATTERSON
CASIMIR THADDEUS NOWACKI
globe DOROTHY RAY FRIEDMAN
globe FRED PAUL MULLER
globe BOCHO MITCHELL

[REDACTED]
STANLEY NOWAK
ARTHUR DAVID KAHN
VICTOR PERLO
MARTIN POPPER

New York City P 749
New York City P 773
Providence, R. I. - P 785
Hoboken, N. J. P 788
Detroit, Mich. P 793
Plainfield, N. J. P 798
Detroit, Mich. P 802
Brooklyn, N. Y. P 809
New York City P 814
New York City P 825
New York City P 845
Wheaton, Md. P 849
New York City P 861

b6
b7c

Two copies of this testimony are enclosed for the Bureau and the New York Office. One copy is enclosed for Boston, Detroit, and Newark.

Those offices covering the residences of above subjects should thoroughly review the transcript of their testimony, advise the Bureau of the identities of each person mentioned and advise of their subversive activity unless such information is currently in the Bureau's possession. Such data should be submitted under the caption of the various individuals identified. These memoranda must contain a statement as to whether or not the individual has been the subject of Bureau investigation and as to what action is being taken on any new information developed.

- ② - Bureau (Encls. 2) *ENCLOSURE*
1 - Boston (Encl. 1) (RM) REC-55
1 - Detroit (Encl. 1) (RM)
1 - Newark (Encl. 1) (RM) EX-113
1 - New York (Encls. 2) (100-115609) (#42) (RM)
1 - WFO

JAC:mw

AUG 25 1959

REC-26

JUL 31 1959

318/82

506

In those instances where an individual has been investigated by the Bureau and the new information obtained does not warrant additional investigation, you should again give consideration to requesting Bureau authority to interview the individual. Further, you should submit your recommendations regarding interview of any "friendly witnesses."

In those instances where a person testifies about an individual residing within another division, it is your responsibility to advise the appropriate office of the nature of the information and of the Bureau's instructions.

For your information and guidance, upon receipt of transcripts of testimony from the Washington Field Office, you are directed to advise the Bureau of the status of your review within on week's time. Thereafter, you will be requested to submit weekly letters advising of the status of your review until the project is completed and necessary action has been taken in accordance with Bureau instructions.

95312

The offices covering the residence of the witness should submit a final letter advising of the completion of the review of the testimony. This letter should contain, with respect to the witness in their territory, a statement regarding the number of witnesses testifying, the number of persons identified as communists, the fact that the Bureau has been advised under individual caption of the information furnished by "friendly witnesses," that recommendations have been forwarded to the Bureau regarding interview with "friendly witnesses" and that recommendations have been forwarded to the Bureau under individual caption regarding additional investigation or the advisability of interviewing these individuals.

Alfred Samter, Victor [redacted], [redacted]
and Edward Yellin are in a Security Index. They
were cited by House representatives 7/31/58
for contempt of Congress. Samter, 501 East
47th Place, Gary, employed at U.S. Steel Corp.,
Gary Works, key facility. He has been Communist
Party (CP) member since 1949. He served in
various official positions in CP since then.
He was chairman of Big Mill CP club, Gary,
Indiana, 1955 to as recently as 9/58. During
1958 he was member of Indiana State CP Board
and Indiana State CP Committee. Mar 1953
employed at Inland Steel Corp.; resides in
Crown Point, Indiana. His CP activities date
back to 1932 when he attended CP school in
Indiana. He has attended CP conventions and
was delegate to CP district convention in
1946. In 1949 he was head of Big Mill Steel
Branch of CP. His known CP activities car-
ried through 3/55 and informants advised as
of 2/8/59 he was member of CP club at Inland
Steel Corp. [redacted] formerly employed at
Gary Works, U.S. Steel Corp., and was member
of Big Mill CP club. He reportedly left CP
in 1957. He was first known to attend CP
meetings in 1948. He is presently employed
as [redacted] at Chicago,
Illinois, and resides in Chicago. Yellin,
as of 11/7/58, was student at Colorado State
University. He was formerly employed at Gary
Works, U.S. Steel Corp. His CP activities
date back to 1947. In 1955 he was described
as spokesman for CP block within Local 1014,
United Steel Workers of America. In 1952 he
was sent from New York City to organize young
communists in Gary and was active in CP until
he moved to Colorado in 1957. No CP activity
known since moving to Colorado.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/05 BY SP6 b17/24

128



ENCLOSURE

61-7082-4224 ENCLOSURE

PASSPORT SECURITY—PART 2

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH CONGRESS

FIRST SESSION

APRIL 22, 23, 24, AND JUNE 5, 1959

(INCLUDING INDEX)

Printed for the use of the Committee on Un-American Activities

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DATE 1-26-84 BY SP2 TAP/SAR



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1959

UNITED STATES HOUSE OF REPRESENTATIVES

AUGUST E. JOHANSEN, Michigan

II

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 06-08-2008 BY 68-26-1

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

18. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q)(1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 86TH CONGRESS

House Resolution 7, January 7, 1959

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

- * * * * *
- (g) Committee on Un-American Activities, to consist of nine Members.
- * * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

SYNOPSIS

Continuing the 1959 hearings on Passport Security,² the committee interrogated William L. Patterson, general manager of The Worker, who appeared in response to a subpoena.

Mr. Patterson recounted his education and his principal employments prior to becoming general manager of The Worker in 1958. Although Mr. Patterson in a letter addressed to the chairman of the committee respecting the hearings identified himself as a Communist, he refused to respond to committee questions respecting whether or not he was currently a Communist.

Mr. Patterson testified that in 1927 he procured a United States passport with which he traveled to a number of foreign countries including Soviet Russia where he spent considerable time. He declined, however, to answer questions respecting Communist activities on the trip. Thereafter, in 1934 and again in 1948, Mr. Patterson procured a United States passport with which he traveled abroad. The passport applications did not at the time request information as to whether or not the applicant was a member of the Communist Party.

Although Mr. Patterson did not reveal in his passport application in 1948 that he proposed to visit Hungary, he, nevertheless, traveled to Hungary where he issued statements attacking the Government of the United States.

Thereafter, Mr. Patterson's passport was taken up by the State Department because he had violated the restriction against travel to Hungary.

In July 1958, Mr. Patterson filed another passport application. At the time, the passport application contained a question inquiring if the applicant had ever been a member of the Communist Party. Mr. Patterson did not answer the question.

Mr. Patterson testified as follows:

Mr. PATTERSON. I didn't answer that question because the State Department correctly, under the decision of the Supreme Court, held that it was not—that that question could be evaded and, therefore, under the State Department's position and the Supreme Court's decision in the case of Kent and Briehl, the cases of Rockwell Kent and Briehl, I am of the political opinion of others that whether you are a Republican, Democrat, Socialist, or what have you, it was not necessary nor within the province of the State Department to inquire.

* * * * *

² See hearings on Passport Security—Part 1 (Testimony of Harry R. Bridges, Apr. 21, 1959).

Mr. ARENS. Was a passport issued to you pursuant to this application which you filed several months ago?

Mr. PATTERSON. It was.

Mr. ARENS. And you now have in your possession a United States passport issued to you pursuant to this application made in July of 1958; is that correct?

Mr. PATTERSON. Yes, that is correct.

Mr. ARENS. Now, may I ask you, as of the instant that you affixed your signature to this passport application in July of 1958, were you then a member of the Communist Party?

(Witness confers with his counsel.)

* * * * *

Mr. PATTERSON. * * *. Mr. Staff Director, it is not within your province to ask that question any more than it was the province of the State Department, as held by the Supreme Court. Therefore, with authority of the Supreme Court, I decline, and, of course, under the Constitution, I decline to answer that question.

Mr. SCHERER. I ask that he be directed to answer the question.

The CHAIRMAN. You are directed to answer the question, Mr. Patterson.

Mr. PATTERSON. I decline.

Mr. ARENS. Where do you intend to go on your passport and when?

Mr. PATTERSON. It would be impossible for me to answer such a question, because I don't know.

Casimir T. Nowacki of New York City appeared in response to a subpoena. He refused to give his occupation, basing his refusal on the ground, among others, that his answer might tend to incriminate him.

The testimony reveals that in 1949 Mr. Nowacki procured a United States passport with which he traveled to Poland; that in 1949 the passport application which he filed did not interrogate the applicant as to whether or not he was a member of the Communist Party. In the instant hearings Mr. Nowacki refused to respond to questions as to whether his expenses to Poland in 1949 were paid by the Communist Party and whether he attended a special training course for Communists in Warsaw in 1949. Mr. Nowacki testified that in 1956 he filed another application for a United States passport which was issued to him. Shortly thereafter, he received a letter from the Department of State requesting him to submit under oath or affirmation, a statement with respect to present or past membership in the Communist Party, and notifying him that pending receipt of the statement his passport was withdrawn.

The testimony reveals that, notwithstanding his receipt of this letter, Mr. Nowacki attempted to depart from the United States with the passport in his possession but that the passport was seized on the ship's gangplank by Department of State officials.

Mr. Nowacki refused to testify as to whether he was a member of the Communist Party at the time he procured his passport in 1956. He likewise refused to reveal the source of his expenses on his proposed trip and the objective and purpose of the proposed trip.

In November 1958, Mr. Nowacki filed another passport application which contained a question as to whether the applicant was a member of the Communist Party but Mr. Nowacki did not answer the question. The passport was issued to him shortly thereafter. Mr. Nowacki was confronted in the course of the hearings with committee information and exhibits respecting his membership in the Communist Party and his Communist activities but he refused to respond to committee queries on the subject matter. He likewise declined to answer whether he was at the moment of the hearings a member of the Communist Party.

Dorothy Ray Friedman of Providence, R.I., appeared in response to a subpoena. In hearings of the committee held in Boston, Mass., in March 1958, Armando Penha, who for a number of years had been an FBI undercover agent in the Communist Party, identified Mrs. Friedman as a person known by him to be a Communist. In the Boston hearings Mrs. Friedman appeared in response to a subpoena, but refused to answer any questions respecting her Communist Party membership or activities.

Thereafter, in July 1958, the instant hearings reveal, Mrs. Friedman filed an application with the Department of State for a United States passport. She refused to answer the question on the application as to whether she was a member of the Communist Party, but the passport was issued to her. In the instant hearings Mrs. Friedman refused to answer any questions, except to give her name, residence, and occupation, basing her refusal on the ground, among others, that her answers might incriminate her.

Fred Paul Muller of Hoboken, N.J., appeared in response to a subpoena but refused to answer any questions except to give his name and place of residence, basing his refusal on the ground, among others, that his answers might incriminate him. There were displayed to Mr. Muller photostatic reproductions of passport applications filed by him with the Department of State in August 1950, September 1954, and July 1958, respectively, and Mr. Muller was confronted with information of the committee that in 1956 he had been cited by the international Communist apparatus for doing "fine international work for the party." Mr. Muller persisted in his refusal to answer questions on the subject matter.

Bocho Mircheff of Detroit, Mich., appeared in response to a subpoena. He refused to state his occupation on the ground, among others, that to do so would be to supply information that might be used against him in a criminal proceeding. Mr. Mircheff testified that he was born in Bulgaria and became a naturalized citizen in Detroit in 1938. There was displayed to Mr. Mircheff a photostatic reproduction of a passport application filed by him with the Department of State in 1946 and Mr. Mircheff was interrogated respecting the trip which he took to Bulgaria at that time, but he refused to answer any questions respecting the trip on the ground, among others, that to do so would give information which could be used against him in a criminal proceeding. There was also displayed to Mr. Mircheff a photostatic reproduction of a passport

application filed by him with the Department of State in June 1958, in which application he omitted filling out questions respecting membership in the Communist Party.

Mr. Mircheff refused to answer whether he was a member of the Communist Party at the time he filed the application for a passport in June 1958, and whether he was a member of the Communist Party at the instant of his testimony.

Mr. Mircheff was scheduled to go abroad shortly after the hearings. He refused to answer whether his expenses will be paid by persons known by him to be members of the Communist Party, whether his mission abroad is under the direction of the Communist Party, and whether he expects to engage in Communist Party activities after he arrives in Bulgaria.

Leonore Haimowitz of Plainfield, N.J., appeared in response to a subpoena. There was displayed to Mrs. Haimowitz a photostatic reproduction of a passport application filed by her with the Department of State in 1949 for a passport to go to Europe, but she refused to answer any questions respecting the passport application on the ground that to do so might tend to incriminate her. Mrs. Haimowitz was confronted with committee information to the effect that in 1954 as a then member of the Communist Party she engaged in Communist Party activities in Mexico. She refused to answer questions respecting the subject matter on the ground that to do so might tend to incriminate her.

There was displayed to Mrs. Haimowitz a copy of the passport application to go to Europe filed by her with the Department of State in July 1958. She refused to answer any questions respecting the passport application and whether or not a passport was issued pursuant to the application, although the passport application showed that the passport was issued on September 10, 1958. She based her refusal on the ground that if she answered the question she would be giving information which could be used against her in a criminal proceeding. Mrs. Haimowitz, likewise, refused upon the same ground to answer whether she was a member of the Communist Party at the very moment of her testimony.

Stanley Nowak of Detroit, Mich., appeared in response to a subpoena. He stated that his occupation was "Journalism" but in response to a question as to where he was employed he declined to answer giving as a reason, among others, "I also want to claim at this time the privilege of the fifth amendment."

In an opinion of the Supreme Court on May 26, 1958, in the case of the *United States v. Stanley Nowak* (the witness) the Court stated that the Government had proved that Nowak was a member of the Communist Party. Mr. Nowak, in the instant hearings, testified that thereafter in July 1958, he filed a passport application with the Department of State but that he did not fill out the questions on the application form respecting Communist Party membership "because it was not necessary according to the decision of the Supreme Court."

Mr. Nowak declined to answer whether at the instant that he had affixed his signature to the application form he was a member of the Communist Party. He likewise declined to state who paid his expenses on the trip to Poland which he made on a United States passport in September 1958, basing his declination on the ground, among others, that his answer might incriminate him.

Arthur David Kahn of Brooklyn, N.Y., appeared in response to a subpoena but refused to answer any questions of the committee "on the basis of the fifth amendment," except to give his name and address.

There were displayed to Mr. Kahn a series of passport applications and applications for renewal filed by him with the Department of State, beginning in 1944 pursuant to which he had obtained passports or renewals to travel abroad, including a passport application filed under date of July 23, 1958, pursuant to which a passport was issued on August 25, 1958.

Mr. Kahn was confronted with committee information to the effect that over the course of many years' time as a member of the Communist Party he had participated in a number of Communist activities and that while serving with the OSS of the United States Government in Germany, he was in contact with German Communists for the purpose of conducting Communist Party operations. The record reveals that Mr. Kahn had been refused United States passports on numerous occasions on security grounds but that after the decision of the Supreme Court in the Kent-Briehl case a passport was issued to him.

Victor Perlo of New York City appeared in response to a subpoena and stated that his occupation was an economist. There was displayed to Mr. Perlo a passport application filed by him with the Department of State in 1947 in which he stated that he sought a passport to go to London. The passport application was denied. Thereafter, in 1950, Mr. Perlo filed another passport application with the Department of State seeking a passport to go to France, Belgium, Italy, and England for "research and travel." This passport application, likewise, was denied.

Subsequently, Mr. Perlo filed another passport application in July of 1958. He then received from the Department of State a letter stating that the Department "has received information indicating that you have been a member and a leader of an espionage group and that you have actively engaged in espionage activities on behalf of a foreign government." The letter requested him to answer a series of questions respecting his activities. Subsequent to receipt of the letter from the Department of State, Mr. Perlo sent a letter to the Department respecting his proposed trip, but did not answer the questions of the Department as to whether he had engaged in espionage.

In the instant hearings Mr. Perlo refused to answer "on the grounds of the fifth amendment" whether he had ever engaged in espionage activities against the Government and the people of the United States. He, likewise, refused to state whether he was a member of the Communist Party the instant he had affixed his signature to the passport application in 1958, and whether he was a member of the Communist Party during his appearance before the committee in the present hearings. The record further reveals that in December 1958, Mr. Perlo addressed a letter to the Chief of the Passport Office, as follows:

DEAR MRS. KNIGHT: I have your letter of November 24. Since you are apparently determined to violate the law by denying me a passport, and since it is obvious from Mr. O'Connor's reference to me in his speech of November 8 that

my application has been prejudged, please return my application and fee.

— Martin Popper of New York City appeared in response to a subpoena. There was displayed to Mr. Popper and identified by him a photostatic copy of an application for a passport which was procured by him in August 26, 1958, in which Mr. Popper omitted answers to questions respecting membership in the Communist Party.

In response to a question as to whether at the time he executed the application for a passport he was a member of the Communist Party, Mr. Popper declined to answer. He gave a number of reasons for his refusal but specifically did not claim the privilege against self-incrimination.

There was likewise displayed to Mr. Popper and identified by him a photostatic copy of a passport application executed by him on March 11, 1946, pursuant to which Mr. Popper received a passport to travel to Germany to observe the Nuremberg trials. Mr. Popper declined to answer whether he was a member of the Communist Party at the time he made the application for the passport, and whether he conferred with Communist Party leaders in any foreign country during his trip abroad.

There was also displayed to Mr. Popper and identified by him an application for a passport on September 26, 1946, pursuant to which he procured a passport to attend a meeting of the International Congress of Lawyers in Paris while Mr. Popper was secretary of the National Lawyers Guild.

Mr. Popper refused to answer whether he was a member of the Communist Party at the time of his attendance at the International Congress of Lawyers in Paris. There was displayed to Mr. Popper and identified by him a photostatic copy of an application for a passport filed by him in 1954, and in connection therewith, a copy of a letter addressed to him from the Director of the Passport Office in which it was stated that "In your case it has been alleged that you were a Communist" and that " * * * the evidence indicates on your part a consistent and prolonged adherence to the Communist Party line * * * ." The letter stated that Mr. Popper would be "required to submit a sworn statement whether you are now or ever have been a Communist."

Mr. Popper refused to state whether he was at the time of the hearing a member of the Communist Party and whether the testimony of Mr. Mortimer Riemer was correct in which Mr. Riemer stated that Mr. Popper was a member of a Communist group composed exclusively of lawyers.

— Victor Michael Berman of New York City appeared in response to a subpoena but refused to answer any questions of the committee, except to give his name and address, and that he was presently unemployed, basing his refusal on the ground, among others, "of my constitutional privilege under the fifth amendment."

There was displayed to Mr. Berman a copy of a passport application filed by him under date of September 8, 1958, in which he failed to answer questions respecting membership in the Communist Party, pursuant to which application a passport was issued. Mr. Berman was interrogated respecting a trip made by him to the World Youth Festival in Budapest, in August 1949, his chairmanship of the Student

Branch of the Communist Party at the University of Colorado in 1949, and his membership in the New York section of the Communist Party in 1954.

He persisted in his refusal to answer all questions including a question whether he was at the time of the hearing a member of the Communist Party, basing his refusal on the ground, among others, "of my constitutional privilege under the fifth amendment."

Sidney T. Efross appeared in response to a subpoena. Upon a request to state his occupational background, Mr. Efross declined to answer on the ground, among others, that his answer would incriminate him. There was displayed to Mr. Efross a copy of an application filed by him for a passport on January 13, 1953, to travel to Europe, and a letter of March 25, 1953, from the Director of the Passport Office disapproving the application on security grounds.

Mr. Efross was confronted with the testimony of Mr. Frank Peoples of Lorain, Ohio, who testified that while he was serving in the Communist Party as an undercover agent of the Federal Bureau of Investigation, he knew Sidney Efross as a member of the Communist Party in 1950. Mr. Efross declined to answer any questions respecting this testimony, basing his declination "on the same grounds."

Elizabeth Bóynton Millard of New York City appeared in response to a subpoena. She declined to answer respecting her educational background or occupational record, basing her declination on various grounds including the "protection of the first and fifth amendments."

There was displayed to Miss Millard a copy of the Daily Worker of April 17, 1950, containing an article by Betty Millard respecting her trip to Red China but she declined "on the same grounds" to answer any questions respecting the article or the trip.

There was likewise displayed to Miss Millard a photograph clipped from an East German publication of February 4, 1951, bearing a caption identifying Betty Millard as a participant in a rally in East Germany. She declined to answer any questions respecting the subject matter "on the same grounds."

There was also displayed to Miss Millard a photostatic copy of an application for a passport made by her in July 1958, bearing a stamp "passport issued November 4, 1958" in which application Miss Millard failed to answer questions respecting membership in the Communist Party. Miss Millard declined to answer whether she was at the time of the hearing a member of the Communist Party.

John W. Hanes, Jr., Administrator, Bureau of Security and Consular Affairs of the Department of State, accompanied by John W. Sipes, Security Counsel, Department of State, testified respecting passport security legislation. Characterizing existing passport control as a "particularly dangerous hole in our defenses against the operations of the international Communist conspiracy," Mr. Hanes stated that at the present time the Department of State has no alternative but to issue passports upon demand to hard-core active Communist supporters.

Continuing, Mr. Hanes testified:

I don't know exactly how many members the Communist Party of the United States now has—perhaps fifteen or twenty thousand. But, however many there are, each and every party member as of today can get a passport from the

Department of State, except in the rare instance that he happens to be ineligible for some other reason, such as being a fugitive from justice. This is a breach in our defenses which our enemies have been quick to take advantage of. Many persons with known Communist affiliations have applied for passports since the decision of the Supreme Court, some of them even though they have no present intention of going abroad.

Mr. Hanes discussed the history and background of passport security and recommended certain legislation to block existing loopholes. Among the significant comments by Mr. Hanes on proposed legislation was the following:

I can say bluntly that any legislation concerning denial of passports to Communist supporters would be meaningless and would not achieve any purpose if it prohibited the government from utilizing confidential information. Almost without exception, dangerous cases in the Communist area involve confidential information and investigative sources. Indeed, the more recent and meaningful our information is, the more likely it is that it has come from current confidential investigative sources within the Communist movement.

PASSPORT SECURITY—PART 2

WEDNESDAY, APRIL 22, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m., in the Caucus Room, Old House Office Building, the Honorable Francis E. Walter (committee chairman), presiding.

Subcommittee members: Representatives Francis E. Walter, Pennsylvania; Morgan M. Moulder, Missouri; Clyde Doyle, California; Donald L. Jackson, California; and Gordon H. Scherer, Ohio.

Committee members also present: Representatives William M. Tuck, Virginia, and August E. Johansen, Michigan.

Staff members present: Richard Arens, staff director, Donald T. Appell and Frank J. Bonora, investigators.

The CHAIRMAN. The committee will be in order.

Members present: Representatives Walter, Doyle, and Scherer.

The CHAIRMAN. Mr. Arens, call your witness, please.

Mr. ARENS. William L. Patterson, please come forward and remain standing while the chairman administers an oath.

The CHAIRMAN. Will you raise your right hand?

Mr. PATTERSON. I will affirm, Mr. Walter.

The CHAIRMAN. Do you affirm that the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God? *E. v. 27-1891 San. H.C.U.A. D.C. 4-22-1959*

Mr. PATTERSON. I do.

TESTIMONY OF WILLIAM L. PATTERSON, ACCOMPANIED BY COUNSEL, ABRAHAM UNGER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. PATTERSON. My name is William L. Patterson. My address is 1268 President Street, Brooklyn, N.Y. I am at present manager of The Worker, a New York paper.

(Representative Jackson entered the room.)

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the Committee on Un-American Activities?

Mr. UNGER. Before you proceed, Mr. Arens—

Mr. ARENS. I am going to get counsel identified in just a moment, please.

You are appearing today in response to a subpoena that was served upon you?

Mr. PATTERSON. I am.

Mr. ARENS. You are represented by counsel?

Mr. PATTERSON. I am.

Mr. ARENS. Counsel, kindly identify yourself. *Lawyer*

Mr. UNGER. My name is Abraham Unger of Freedman and Unger, U-n-g-e-r, 320 Broadway, New York City, attorneys.

Mr. ARENS. Where and when were you born? *D.C.*

Mr. UNGER. If you please, Mr. Arens, may I as a preliminary matter, may I, in behalf of my client here, raise objection to the competence of the committee to proceed with this inquiry upon the ground that the resolution under which it is functioning is unconstitutional, vague, uncertain, and does not empower it to proceed with an investigation of this kind.

The CHAIRMAN. Mr. Unger, you know this is not the right forum to raise that question.

Mr. UNGER. Sir, may I suggest to you, I assure you I would not have raised it but for the fact that a member of your own committee, Mr. Scherer, has brought this to your own attention in a motion which he made to include in the appendix of the Congressional Record, the report of the American Bar Association, certainly an organization which supports, which even worships, your committee and in which there is very sharp criticism of the resolution.

The CHAIRMAN. I understand all of that. Now, Mr. Unger, I am not surprised because I know all about you and your background. So now let us not interfere with these proceedings. You advise your client when a legal question arises.

Go ahead, Mr. Arens.

Mr. UNGER. Have you ruled, Mr. Chairman? Mr. Walter, have you ruled?

Mr. ARENS. Where and when were you born?

The CHAIRMAN. I have not ruled on anything at all. I am merely advising you to read the rules of the committee and conduct yourself according to the rules.

Mr. PATTERSON. Mr. Chairman.

Mr. ARENS. Where and when were you born?

Mr. PATTERSON. Just one moment, Mr. Chairman, I would like to inquire as to the reasons why I have been called here.

(Representative Johansen entered the room.)

The CHAIRMAN. Yes. You have been called because this committee is now studying various phases of the security laws and the position of this great Republic; and, among other things, we are inquiring into the advisability of attempting to do something about the situation created when the Supreme Court leaned over backwards in order to prevent the Secretary of State from exercising the discretionary authority that he always was presumed to have with respect to the issuance of passports to undesirable people, that is, to people whose traveling abroad might injure the security of the United States. That is the reason why you have been called. The record shows, in detail, the purpose of this hearing and the purpose was stated by myself yesterday.

Please proceed, Mr. Arens.

Mr. PATTERSON. May I just——

Mr. ARENS. Please answer the question, where and when were you born?

Mr. PATTERSON. Just one moment. Mr. Chairman, may I state that it is my opinion, of course, that the Supreme Court was protecting the constitutional rights of people.

The CHAIRMAN. We are not interested in your opinion. We are interested in your testimony; and if you will answer the questions that are propounded by counsel, we will get somewhere.

Mr. PATTERSON. I am interested in your authority, Mr. Chairman.

Mr. ARENS. Where and when were you born?

Mr. PATTERSON. I was born in the city of San Francisco, August 27, 1891.

Mr. ARENS. Please give us a word about your formal education.

Mr. UNGER. Mr. Chairman, would you permit the record to show an objection when the witness makes it? If you don't permit counsel to make it, you certainly permit witness to make it for the reason that the record that you make here must be complete. If——

The CHAIRMAN. Please do not interrupt the proceedings. You are a member of the bar. You know that——

Mr. UNGER. I certainly am.

The CHAIRMAN. You know this is frivolous.

Mr. UNGER. It is not frivolous.

The CHAIRMAN. Of course it is.

Mr. UNGER. It is not, Mr. Walter. I don't think it is considerate of you to say that to a member of the bar. You are a lawyer, and you know very well the objection made for the record is not frivolous. I think the matter can be——

The CHAIRMAN. Whether an objection is made and appears on the record is absolutely immaterial if you find yourself in a court of law. Now I do not think that you are trying to get yourself into that position.

Mr. UNGER. Of course——

The CHAIRMAN. Whether you object or do not object will in no wise affect the deliberation of this committee when we go over your client's testimony when we are considering the writing of legislation.

So go ahead.

Mr. ARENS. Now would you please answer the question with respect to your formal education?

Mr. PATTERSON. I was educated at the University of California and the Hastings College of Law of the University of California.

Mr. ARENS. Did you receive a degree in the law?

Mr. PATTERSON. I did.

Mr. ARENS. And have you been admitted to practice?

Mr. PATTERSON. I have.

Mr. ARENS. In what States have you been admitted to practice?

Mr. PATTERSON. New York, Pennsylvania, and I think a few other States.

Mr. ARENS. Give us, if you please, sir, just the principal employments you have had since you completed your formal education.

Mr. PATTERSON. I have been an attorney, practicing attorney, in the early 1920's. I have been a student of political economy and eco-

nomics since then. And I have been a teacher, a newspaperman, and a labor organizer.

Mr. ARENS. Would you tell us if you have been employed by any organizations on a full-time basis?

Mr. PATTERSON. Yes, I have been employed by a number of organizations.

Mr. ARENS. Tell us the names of them, please, sir.

Mr. PATTERSON. The International—I was national secretary of the International Labor Defense.

Mr. ARENS. Over what period of time were you national secretary of the International Labor Defense?

Mr. PATTERSON. From 1928, I think until, or 19—in the late '20's until the '30's.

Mr. ARENS. Where were you located when you were national secretary of the International Labor Defense?

Mr. PATTERSON. The national office was located in the city of New York.

Mr. ARENS. Is that where your office was?

Mr. PATTERSON. That is where my office was.

Mr. ARENS. All right, sir. Did you have any other employment of a similar character?

Mr. PATTERSON. I was national executive secretary of the Civil Rights Congress.

Mr. ARENS. And over what period of time were you national executive secretary of the Civil Rights Congress?

Mr. PATTERSON. From '48 to 1956.

Mr. ARENS. All right, sir. And any other similar employments which you had?

Mr. PATTERSON. I was the—

Mr. UNGER. You mean employment or similar employment? Which is it?

Mr. ARENS. Similar employment.

Mr. PATTERSON. I have had no similar employment.

Mr. ARENS. How long have you been the general manager of The Worker?

Mr. PATTERSON. I became the general manager of The Worker, beginning of 1958.

Mr. ARENS. What was your employment from 1956 until 1958?

Mr. PATTERSON. Cleaning up the affairs of the Civil Rights Congress. It was liquidated.

Mr. ARENS. Have you ever been issued a United States passport?

Mr. PATTERSON. I have.

(The witness conferred with his counsel.)

Mr. ARENS. Can you tell us when you were issued United States passports? What years?

Mr. PATTERSON. I would like to secure from the chairman information as to the authority with which this committee investigates matters of passports. The resolution under which this committee was brought into being does not authorize an investigation of passports by this committee. The right to travel is a constitutional right, and I see it, it is my opinion, that neither this committee or any committee so constituted has authority by Congress to investigate that matter.

Mr. SCHERER. Mr. Chairman, even the President of the United States in his State of the Union Message asked this Congress to pass legislation which would enable the State Department to deal effectively with Communists who seek passports.

Mr. UNGER. Mr. Scherer, you are missing the point of the witness' objection. He referred to this committee's authority.

Mr. JACKSON. Mr. Chairman, regular order. I am sure counsel for the witness knows the rules of the committee. One of the rules is that he will not engage in—

Mr. PATTERSON. I want to say, Mr. Jackson and Mr. Scherer, that while there may be a committee of Congress authorized to investigate into the right of American citizens to travel, certainly it would not be the Un-American Committee. It might be some committee dealing with foreign affairs or it might be a committee of Judiciary Committee.

The CHAIRMAN. That is a question for the parliamentarian of the House to decide, and there are three committees that have jurisdiction in this general field. The Committee on Un-American Activities—not as you Communists call it, the Un-American Committee—the Committee on the Judiciary, and the Foreign Affairs Committee.

Mr. PATTERSON. Mr. Chairman, may I interject?

The CHAIRMAN. Go ahead, Mr. Arens, ask the question.

Mr. PATTERSON. Just one second.

The CHAIRMAN. Go ahead, Mr. Arens.

Mr. ARENS. I display to you now, if you please—

Mr. PATTERSON. Just a second, please.

Mr. ARENS. I display to you now, if you please, a photostatic—

Mr. PATTERSON. Mr. Chairman, I would be pleased if you did not designate my politics where you don't know them, and when you characterize me as a Communist you don't—

The CHAIRMAN. Just a minute. Are you a Communist?

Mr. PATTERSON. I will not answer that question. I don't know by what authority you ask it, Mr. Walter.

The CHAIRMAN. Let us suppose that I have the authority. Are you a member of the Communist Party?

Mr. PATTERSON. I am not supposing anything here.

The CHAIRMAN. Are you a member of the—

Mr. PATTERSON. What authority do you have?

The CHAIRMAN. I am asking you. You raised this question. I am asking you, are you a Communist?

Mr. PATTERSON. I am not answering that question, Mr. Walter, for you have no authority to ask me that question.

The CHAIRMAN. All right.

Mr. SCHERER. I think the witness should be directed to answer.

The CHAIRMAN. I direct you now to answer this question. You have raised this point. Now I am asking you, or directing you, to answer the question. Are you now, or have you ever been, a member of the Communist Party?

Mr. PATTERSON. Mr. Chairman, —

The CHAIRMAN. Does that paper that your counsel just handed you contain the answer you are going to give me?

Mr. PATTERSON. No. It does not.

The CHAIRMAN. You are directed to answer the question of whether or not you are a Communist.

Mr. PATTERSON. My politics are, I think, known.

Mr. JACKSON. Known on what basis?

Mr. PATTERSON. I think they are known to this committee. And this committee has no right to pry into my politics any more than it would have the right to pry into my religious beliefs or affiliations.

Mr. JACKSON. Is it not the truth that you volunteered to this committee your politics?

Mr. PATTERSON. No, I did not, Mr. Jackson.

The CHAIRMAN. You wrote me a letter in which you said, "Why am I, other Communists and progressives summoned before you?"

Mr. PATTERSON. If that is correct, then you have knowledge of my politics.

The CHAIRMAN. I am merely asking the question. You raised this whole point yourself.

Mr. PATTERSON. No. You raised it, Mr. Chairman, by making a characterization.

The CHAIRMAN. Show him this, Mr. Arens. Yes, I made a characterization because of what you wrote to me. Show him that letter.

Mr. ARENS. Mr. Patterson, we display to you a letter bearing the signature "William L. Patterson," addressed to the "Un-American Activities Committee, Attn Representative Francis E. Walter, 226 Old House Office Bldg., Washington, D.C." I ask you if you will kindly examine that letter and tell this committee, while you are under oath, whether or not that is your signature affixed to the letter.

(Document was handed to the witness.)

Mr. PATTERSON. I am of the opinion it is my signature.

The CHAIRMAN. Look at it carefully and tell us whether or not that is your signature.

Mr. PATTERSON. I am of the opinion it is my signature.

(Document marked "Patterson Exhibit No. 1" and retained in committee files.)

The CHAIRMAN. All right, then.

Well, let us not waste any more time, Mr. Arens. Go ahead with your next question.

Mr. SCHERER. Pardon, Mr. Chairman, may I interrupt? He has not answered your direction.

The CHAIRMAN. Yes. I directed you to answer the question of whether or not you are a Communist.

Mr. PATTERSON. And, Mr. Chairman, under the first amendment of the Constitution I refuse to answer that question.

The CHAIRMAN. All right. Go ahead.

(Representative Tuck entered the room.)

Mr. ARENS. Now I display to you, if you please, a photostatic reproduction of a passport application in 1927 submitted by William L. Patterson to the Department of State in which William L. Patterson solicits a United States passport to visit France, Germany, and Poland.

Kindly examine that document, if you please, and tell this committee whether or not that is a true and correct reproduction of a passport application filed by yourself with the Department of State in 1927.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. PATTERSON. It appears to be my signature. I would take it, therefore, that it is. The writing seems to be mine, and I would take it that it is an application made by me at that time.

(Document marked "Patterson Exhibit No. 2" and retained in committee files.)

Mr. ARENS. Was a passport issued to you pursuant to this application?

Mr. PATTERSON. I think that such a passport was issued.
(Representative Johansen left the room.)

Mr. ARENS. Did you make a trip on the passport in 1927?

Mr. PATTERSON. I made a trip.

Mr. ARENS. Where did you go?

Mr. PATTERSON. I went to a number of European countries.

Mr. ARENS. What European countries?

(The witness conferred with his counsel.)

Mr. PATTERSON. I went to France, England, Poland, Finland, the Soviet Union, Germany, Switzerland, and I think that includes it.

Mr. ARENS. Under what auspices did you make the trip?

Mr. PATTERSON. Under what auspices?

Mr. ARENS. Yes.

Mr. PATTERSON. My own.

Mr. ARENS. Who paid your expenses?

Mr. PATTERSON. I did.

Mr. ARENS. Were you a member of the Communist Party when you received your United States passport in 1927 to make this trip?

Mr. PATTERSON. I decline to answer that question.

Mr. ARENS. Why?

Mr. PATTERSON. The question isn't pertinent and the committee, in my opinion, has no right to ask that question.

Mr. ARENS. The pertinency of the question, I explain to you now, is that this committee is charged with a mandate by the rules of the House of Representatives to maintain a continuing surveillance over the administration and operation of certain security laws, including the Internal Security Act of 1950, which has provisions in it denying passports to Communists.

In addition to that this committee has pending before it certain legislation bearing upon the question of denying passports to Communists.

With that explanation I now ask you, were you a member of the Communist Party when you received your passport in 1927?

(The witness conferred with his counsel.)

Mr. PATTERSON. Number 1, the application was made in 1927 and the questions then asked in no wise conformed to your description of them. That question was not part of any passport affidavit, and I do not see that it has any application whatsoever to the subject under discussion or of the purpose to which you gentlemen have met here in inquiry.

Mr. ARENS. Mr. Chairman, I respectfully suggest now the witness be ordered and directed to answer the question.

The CHAIRMAN. I direct you to answer the question.

Mr. PATTERSON. I decline.

Mr. ARENS. While you were on this trip in 1927, did you attend a training school in Moscow?

Mr. PATTERSON. I did not attend any training school in Moscow.

Mr. ARENS. Did you attend any sessions conducted in Moscow for Communists?

(The witness conferred with his counsel.)

Mr. PATTERSON. Would you repeat that question, Mr. Arens.

(Representative Jackson left the room.)

Mr. ARENS. Did you attend any sessions, any courses conducted for Communists in Moscow?

Mr. PATTERSON. No.

Mr. ARENS. Did you engage in Communist Party activities on your trip in 1927?

(The witness conferred with his counsel.)

Mr. PATTERSON. Well, I would have to have a much clearer description of what you regard as Communist activities.

(The witness conferred with his counsel.)

Mr. PATTERSON. I can tell you what I did.

Mr. ARENS. We want to know about the Communist activities. That is the principal interest of this committee. How long were you on this trip when you went to Moscow in 1927?

Mr. UNGER. Excuse me. Do you want him to answer your question?

Mr. ARENS. Counsel will be advised that the chairman advised you your sole and exclusive prerogative is to consult with your client.

Mr. PATTERSON. I think my attorney recognizes that and that is what he is attempting to do.

Mr. ARENS. Please tell the committee, how long were you on this trip.

Mr. PATTERSON. I returned to this country, I think, in '30 or '31—'31.

Mr. ARENS. Were you 3 years on the trip?

Mr. PATTERSON. I was 3 years on the trip.

Mr. ARENS. How long were you in Moscow?

Mr. PATTERSON. I was in the Soviet Union a good part of the time. I don't know exactly.

Mr. ARENS. After you arrived in the Soviet Union did you go to Poland?

Mr. PATTERSON. Yes, I went to Poland.

Mr. ARENS. While you were in Poland, did you file an application with the United States Consul in Poland for a renewal of your original passport application?

Mr. PATTERSON. I think those are the facts.

Mr. ARENS. I display to you now a photostatic reproduction of a passport renewal application filed with the United States Consul General in Poland and ask you if this is a true and correct reproduction of the renewal application filed by yourself.

(Document was handed to the witness.)

(Representative Tuck left the room.)

Mr. PATTERSON. The signature seems to be mine, and I take it that it was such application and that I made it.

(Document marked "Patterson Exhibit No. 3" and retained in committee files.)

Mr. ARENS. Was a renewal granted to you on your passport application in Poland pursuant to this application?

(The witness conferred with his counsel.)

Mr. PATTERSON. Yes, I think this happened. I think—this took place 30 years ago, as you know.

Mr. ARENS. Where did you go pursuant to the renewal?

Mr. PATTERSON. I returned to the Soviet Union. I went a number of places. I went to Germany and a number of other places.

Mr. ARENS. In whose employ were you at that time?

Mr. PATTERSON. I was in no one's employ.

Mr. ARENS. When did you then return to the United States?

Mr. PATTERSON. That is some 30 years ago and my recollection is somewhat hazy. I think that I returned to the United States in 1931 or '30. I don't recall.

Mr. ARENS. Were you national secretary of the International Labor Defense during this period while you were in Moscow on this trip?

Mr. PATTERSON. I don't recall that, either.

Mr. ARENS. Did you, at any time on this particular trip, go to South Africa?

Mr. PATTERSON. I did not.

Mr. ARENS. Did you during this period in your career write any articles about South Africa?

Mr. PATTERSON. Perhaps I did. I don't recall. I have written many articles about South Africa.

Mr. ARENS. I display to you now a thermofax reproduction of a magazine called "The Communist, a Magazine of the Theory and Practice of Marxism-Leninism," published monthly by the Communist Party of the United States of America, in which appears an article, "British Rule in South Africa," by William L. Patterson.

I ask you to kindly examine this document as I display it to you and tell this committee whether or not you authored the article to which I have just directed your attention.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. PATTERSON. I want to state, Mr. Chairman, that I do not see the pertinency of such questions, of matters occurring some 30 years, 30-odd years ago, with this article written by me and matters of this character, to this inquiry.

(Document marked "Patterson Exhibit No. 4" and retained in committee files.)

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question.

The CHAIRMAN. You are directed to answer the question, Mr. Patterson.

(The witness conferred with his counsel.)

Mr. PATTERSON. I want to inquire if you are going into the matter of censoring articles that were written by American citizens some 30 years ago and what the nature of it is in relation to the inquiry here, Mr. Chairman. I want to see this matter clearly.

The CHAIRMAN. You know we are not doing that. When you speak of articles, I want to call your attention to the one that appeared in The Worker a few days ago quoting sections of the letter that you wrote to me. I want to say that to the everlasting credit of the vast majority of the colored people of the United States, their leaders, the leaders of colored organizations, are not deceived by the kind of stuff you wrote.

You and others of your ilk are not making any progress in the field that you are attempting to foist.

Mr. PATTERSON. I think your gratuitous insults have no place here, Mr. Chairman.

The CHAIRMAN. That is a matter of opinion.

Mr. PATTERSON. Yes, I know, and I am expressing my opinion with relation to your insults.

The CHAIRMAN. That is all right.

Mr. PATTERSON. I think it is not to your discredit—it is not to your credit whatever that the Asbury Howard assault is not being investigated by this committee, that the indiscriminate murder of Negroes who tried to vote in this country, Harry Moore of Mims, Fla., being one, Reverend Lee being another.

The CHAIRMAN. Just a minute. The activities you are talking about are not directed from a foreign nation.

Mr. PATTERSON. No, they are directed by men like yourself.

The CHAIRMAN. We are talking about something entirely different.

Mr. ARENS. Now I display to you still another passport application.

Mr. PATTERSON. May I just answer this?

Mr. ARENS. A passport application filed in 1934 and ask you if you will kindly look at this passport application and tell this committee whether or not that is a true and correct reproduction of a passport application filed by yourself in 1934.

(Document was handed to the witness.)

Mr. PATTERSON. I will answer this question in just a moment.

No act of all of my life has ever been directed by any foreign government. My fight for the rights of my people here in America are determined entirely by their denial of constitutional liberties, rights, and human dignity; and it is upon those motives that I have been activated in everything that I have done in my life.

The CHAIRMAN. All right. Go ahead, Mr. Arens.

Mr. ARENS. Now, would you kindly tell this committee whether or not the document which I just displayed to you is a true and correct reproduction of still another passport application filed by yourself?

(The witness conferred with his counsel.)

Mr. PATTERSON. It probably was. This is 29——

Mr. ARENS. Is this your signature?

Mr. PATTERSON. This is 29 years ago. I think the signature is mine.

(Document marked "Patterson Exhibit No. 5" and retained in committee files.)

Mr. ARENS. And was a renewal granted pursuant to an application filed by you July 22, 1936?

Mr. PATTERSON. I do not know.

Mr. ARENS. Over how many consecutive years were you in Moscow or in the Soviet Union?

Mr. PATTERSON. Four, I think. I am not certain.

Mr. ARENS. Did you at any time after the 4 years——

Mr. PATTERSON. Just a moment.

Mr. ARENS. —return to the United States and subsequently go back to Russia?

(The witness conferred with his counsel.)

Mr. PATTERSON. I was not consecutively in the Soviet Union over that period of time. I was in Western Europe on a number of occasions.

Mr. ARENS. Over how many consecutive years were you in Europe on this trip which began in 1927?

Mr. PATTERSON. To my recollection it was 4.

Mr. ARENS. And then after you returned to the United States how long were you here before you returned to Europe?

Mr. PATTERSON. I think that also was about, as I recall, about 4 years or perhaps a little more.

Mr. ARENS. Now I display to you still another passport application filed in 1948. Would you kindly look at this document and tell this committee whether or not that is a true and correct reproduction of a passport application filed by yourself with the Department of State.

(Document was handed to the witness.)

Mr. ARENS. While you are examining that passport application, I would like to ask you a question because it pertains to the application.

Mr. PATTERSON, in all of these various passport applications which you had filed with the Department of State or with the United States Consulate abroad for renewals, you were not—up to and including the application which you filed in 1948—interrogated as to whether or not you were a member of the Communist Party; isn't that correct?

(The witness conferred with his counsel.)

Mr. PATTERSON. I have answered that; yes, I was not.

(Document marked "Patterson Exhibit No. 6," and retained in committee files.)

Mr. ARENS. In this particular—

Mr. PATTERSON. It is for that reason entirely that I do not see the pertinence of this question regarding passports of this period to the matter under your supervision here today.

Mr. ARENS. The pertinency is to determine what factual situations have arisen at a time when the passport application did not require answers to questions as to whether or not the applicant was a Communist.

Mr. UNGER. You haven't—

Mr. ARENS. We are going to get into, in a few minutes, passport applications which did require—

Mr. UNGER. You haven't asked one question directed to that subject matter.

Mr. ARENS. Your sole and exclusive prerogative is to advise your client.

Mr. UNGER. Not one single question you asked in a half hour has to bear on the subject which you have here.

Mr. ARENS. You know your sole and exclusive prerogative is to advise your client.

In this particular passport application you have identified, Mr. Patterson—

Mr. PATTERSON. Just one moment. I am here not only to protect my own rights but protect the constitutional rights of America. My counsel is asking pertinent questions.

The CHAIRMAN. No. Your counsel is making statements improperly and in violation of the rules of procedure of this committee of the Congress.

Mr. PATTERSON. That may be your determination, Mr. Chairman. If it is I want to know it because it is not my opinion and they don't coincide at all in this instance—

Mr. ARENS. Was a passport issued pursuant to the application which you filed in 1948?

Mr. PATTERSON. I do not know. I think you will have a record as to whether it was or not. If you will read from that record as to whether I had a passport or not, I think the State Department knows whether it issued one or not. I will reply, Mr. Director—

Mr. ARENS. Did you take a trip in 1948?

Mr. PATTERSON. If I got a passport I took a trip. I think that is generally the reason why passports are sought.

Mr. ARENS. Do you presently have a recollection whether or not you made a trip abroad in 1948?

Mr. PATTERSON. I think that I used that passport to attend the United Nations sessions at Palais Chaillot in which I introduced a petition entitled "Genocide, the Crime of the American Government Against the Negro People."

Mr. ARENS. Would you kindly answer the question?

Mr. PATTERSON. I am answering your questions, Mr. Director.

Mr. ARENS. On the passport application, if you please, I invite your attention to the part of the passport application with respect to countries to be visited. Did you indicate to the Department of State the countries which you proposed to visit when you made your application in 1948?

(The witness conferred with his counsel.)

Mr. PATTERSON. Yes. I did.

Mr. ARENS. What countries did you tell the Department of State you proposed to visit in 1948?

Mr. PATTERSON. The passport indicates that I said England and France. The application, rather.

(The witness conferred with his counsel.)

Mr. ARENS. Did you say anything in your passport application about visiting Hungary?

Mr. PATTERSON. That is obvious in the passport, that I didn't.

Mr. ARENS. That you did not?

Mr. PATTERSON. I did not say anything.

Mr. ARENS. How long were you on your trip to England or to France?

Mr. PATTERSON. If you are, Mr. Director, attempting to determine whether or not I did visit Hungary I want to say here now—

Mr. ARENS. I haven't gotten to that yet. The question outstanding if you please—

Mr. PATTERSON. Let me anticipate it, then.

The CHAIRMAN. No. Answer the questions that are asked.

Mr. ARENS. I want an answer to the question, please, sir.

Mr. PATTERSON. I don't know the—

Mr. ARENS. Did you go to England and France on the passport that was issued to you in 1948?

Mr. PATTERSON. I did.

Mr. ARENS. Did you go any place else?

Mr. PATTERSON. I did.

Mr. ARENS. Did you, while you were in England, file an application for a renewal of a passport?

Mr. PATTERSON. I don't recall.

Mr. ARENS. I display to you now a photostatic reproduction of an application for renewal of passport filed in England by William

Lorenzo Patterson, and ask you if this is a true and correct reproduction of an application filed by you in either 1948 or 1949, I don't see the date at the instant.

(Document was handed to the witness.)

Mr. PATTERSON. The date happens to be '50.

Mr. ARENS. 1950.

Mr. PATTERSON. It happens to be October 1950.

Mr. ARENS. Did you file that passport application in England?

Mr. PATTERSON. And I am of the opinion that I did. My recollection is that I did.

(Document marked "Patterson Exhibit No. 7" and retained in committee files.)

Mr. ARENS. Did you in 1948, in November, accompany your passport application with a letter to the Department of State, telling the Department of State the purpose of your trip to England?

Mr. PATTERSON. I do not recall.

Mr. ARENS. I display to you now a photostatic reproduction of a letter directed to the Department of State under date of November 1, 1948, signed "William L. Patterson," reading as follows—and I will display it to you in just an instant:

The accompanying application for a passport made by me on this date was made for the purpose attending a Civil Rights conference in London which is scheduled to take place on the 13th and 14th of November, 1948. It is therefore necessary that I leave by air on the 9th of this month. I am at the present time National Executive Secretary of the Civil Rights Congress with offices at 205 E. 42d, New York City, N.Y.

Kindly look at that document which I now display to you and tell this committee whether or not that is a true and correct reproduction of a letter sent by you in 1948 to the Department of State.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. PATTERSON. Yes, and it was to that Civil Rights conference that I went on the passport under description.

(Document marked "Patterson Exhibit No. 8" and retained in committee files.)

Mr. ARENS. Were you at that time—

Mr. PATTERSON. Just a moment.

Mr. ARENS. Excuse me.

Mr. PATTERSON. There are two different occasions. The application for a renewal made in 1950 has no relations at all to this occasion of 1948. As I recall, I not only attended that conference where I made a report, dealing not only with the terror against Negroes in the United States, but its relationship to the denial of constitutional rights of others. But it was a report regarding human rights and constitutional liberties of human beings in other sections of the world.

Mr. ARENS. Did you in 1948, when you made your passport application, have plans to visit Hungary?

(The witness conferred with his counsel.)

Mr. PATTERSON. My opinion is that I did not visit Hungary at that time.

Mr. ARENS. Did you have plans to visit Hungary after you had arrived in England?

Mr. PATTERSON. My opinion is that I—I did not.

Mr. ARENS. When did you first formulate your plans to visit Hungary?

Mr. PATTERSON. I don't recall.

(The witness conferred with his counsel.)

Mr. ARENS. Did you, after you had received your passport for which you applied in 1948, go to Hungary?

Mr. PATTERSON. I don't recall. My best recollection is that I went first to Hungary in 1950. That is my best recollection.

Mr. ARENS. Did you travel on a United States passport?

Mr. PATTERSON. When I went in 1950, of course I was traveling on a United States passport when I left the country.

Mr. ARENS. Was that passport issued pursuant to the application you filed in 1948?

Mr. PATTERSON. I am not certain whether that was or whether I got a new passport after that.

Mr. ARENS. Did you, at any time from 1948 until the time you arrived in Hungary, notify the Department of State or any American Consulate of your intention and desire to go to Hungary?

(The witness conferred with his counsel.)

Mr. PATTERSON. I had gone on the trip in which I went to Hungary to present a petition before the United Nations. I presented that petition at Palais Chaillot and had not finished my business when the United States Government sought to seize my passport. I had no intention of coming home until I finished my business I was in.

Mr. ARENS. Where were you when you first learned that the United States Government was attempting to seize your passport?

Mr. PATTERSON. I was in the city of Paris.

Mr. ARENS. Did the Government of the United States take custody of your passport?

Mr. PATTERSON. I did not surrender my passport.

Mr. ARENS. Then on what travel documents did you go from Paris to Hungary?

Mr. PATTERSON. I had my passport with me, for one thing.

Mr. ARENS. Did you at any time, and I think I have asked this question before, but I do not think the record reflects an adequate answer, did you at any time notify the Government of the United States of your intention and desire to travel to Hungary?

(The witness conferred with his counsel.)

Mr. PATTERSON. There was no provision in the law to my recollection that required me to make such a statement or to give such information.

Mr. ARENS. Did you go to Hungary?

Mr. PATTERSON. I went to Hungary.

Mr. ARENS. For what purpose?

Mr. PATTERSON. I went to Hungary on a pleasure trip.

Mr. ARENS. And while you were in Hungary, did you issue any statements, public statements?

Mr. PATTERSON. I not only issued public statements but I spoke over the air on a number of occasions, broadcasting to the Far East and Near East and setting forth the terror against my people, the denial of their constitutional rights, the murder, indiscriminate murder of Negroes in the South, which this committee has not yet found it fit to investigate, although it is an un-American committee, unless this committee regards those things as American.

Mr. ARENS. Before what group or groups did you make these addresses?

Mr. PATTERSON. Before what groups?

Mr. ARENS. Yes, sir.

Mr. PATTERSON. No special groups. I spoke before the Supreme Court of Hungary.

The CHAIRMAN. Under whose auspices were you making these speeches?

Mr. PATTERSON. Under my own as a citizen of the United States determined to defend the rights of my people and my own.

Mr. ARENS. Did you likewise go to Prague?

Mr. PATTERSON. I likewise went to Prague.

Mr. ARENS. At this same period?

Mr. PATTERSON. At this same period.

Mr. ARENS. Did you make a speech there?

Mr. PATTERSON. I made several there.

Mr. ARENS. I should like to read you a press account of your speech and ask if, in your recollection, that account is substantially correct. This is in 1950, October 9, Prague:

William Patterson, national executive secretary of the American Civil Rights Congress, today called the United States Government a "criminal Government." He said armed resistance on the part of American Negroes against Ku Klux Klanism might increase.

Patterson, who is touring Eastern Europe, gave his views at a news conference. The gray-haired Negro said:

"American imperialism is on a war drive which cannot stop because of its fear of economic collapse." He added that America was threatening the world with the atom and hydrogen bombs, and then went on:

"It is a very great pleasure for me to see the eastern (Communist) republics, preparing for any eventuality."

[Reliable Prague sources said at least 6 members of Czechoslovakia's world champion ice hockey team have been sentenced to prison terms of from 6 to 15 years on charges of "slandering the republic," planning to flee the country and assaulting SNB (state police) men, the United Press reported.]

Kindly tell this committee whether or not the Associated Press, the United Press, excuse me, the United Press report of your address in Prague is substantially correct.

(The witness conferred with his counsel.)

The CHAIRMAN. Is the press report correct?

Mr. PATTERSON. Mr. Chairman, I would answer by saying that I do not think so. The United Press has distorted, and continues to distort, statements made by Negroes who are seeking to mold their opinion with reference to their rights.

The CHAIRMAN. I wish you would stop presuming to speak for the fine people of this country. You don't speak for anybody but yourself.

Mr. PATTERSON. No. It is you. It is you who don't speak for them.

The CHAIRMAN. Mr. Arens, would you please show him this article?

Mr. PATTERSON. I do speak for them.

The CHAIRMAN. Ask him to look at it. You look at that article and see whether or not that reports what you said.

Mr. UNGER. Mr. Chairman, how is that relevant to your inquiry—whether the United Press said something or not? Would you tell me that, please?

The CHAIRMAN. Go ahead and look at that article.

Mr. PATTERSON. Just a moment, Mr. Chairman. Is freedom of speech to be denied benefiting for human dignity and the rights of their constitutional rights in this country today? Is that the purpose of this inquiry?

The CHAIRMAN. Did you make that statement?

Mr. PATTERSON. There are statements there that I didn't make.

The CHAIRMAN. What didn't you make? Look at it.

Mr. PATTERSON. I don't—let me see.

Mr. ARENS. Did you call the Government of the United States a "criminal Government"?

(Document was handed the witness.)

Mr. PATTERSON. I don't recall having made any statement of that kind and I will say, however, that the attitude of the State of Mississippi, of Georgia, of Alabama, and a number of other States is criminal in disregard of constitutional rights of Negroes and this is obvious. And it is up to this committee to investigate those matters if it is an un-American committee.

(Document marked "Patterson Exhibit No. 9" and retained in committee files.)

Mr. SCHERER. How did you think you could help the Negroes in Alabama and Mississippi by attacking the United States in Prague, if that is what your purpose was as you so stated a number of times here?

Mr. PATTERSON. I didn't get that question, the first part of that question.

The CHAIRMAN. Read the question, please.

(The record was read by the reporter.)

Mr. PATTERSON. First, I wasn't attacking the United States. I was attacking Jim Crow practices, I was attacking the denial of constitutional rights and, second, what has been done to alleviate this situation, has been done by virtue of the pressure of world opinion against these conditions. These are the things that are making you gentlemen act, rather than the murder of Moore in Mims, Florida, which should be the basis of your inquiry, or the attack upon Asbury Howard in Bessemer, Alabama.

Mr. ARENS. Did you, in your speech or speeches in Prague, accuse the American Government of threatening the world with atomic and hydrogen bombs?

Mr. PATTERSON. No.

The CHAIRMAN. Did you say that?

Mr. PATTERSON. I answered the question already, Mr. Chairman.

Mr. SCHERER. I didn't hear what he said.

Mr. PATTERSON. I am sorry. I said no.

The charges I made were charges dealing with Jim Crowism and segregation which deny the constitutional rights.

The CHAIRMAN. Mr. Patterson, I have heard this Communist line so often. You are not making any impression on the committee.

Mr. PATTERSON. It is not Communist line. It is the line of human dignities and human rights.

The CHAIRMAN. You have shed enough crocodile tears this morning.

Mr. PATTERSON. Don't think you are making me shed any tears at all, Mr. Walter. It is you who should be shedding tears.

Mr. ARENS. Did you appear in Budapest as the executive secretary of the Civil Rights Congress of America?

Mr. PATTERSON. I didn't hear the question, please.

Mr. ARENS. Did you appear there, and were you introduced to your audiences who were hearing your addresses, as the executive secretary of the Civil Rights Congress of America?

Mr. PATTERSON. Perhaps for purposes of identification, I was introduced in that manner. I don't know.

Mr. ARENS. Did you in one of your broadcasts accuse the United States Congress of legalizing a police state in America?

Mr. PATTERSON. I don't recall having—

Mr. ARENS. I have here a reproduction of excerpts from an address given by yourself, Budapest, October 5, 1950, in which you do just that.

Mr. UNGER. Is that a statement or a question, Mr. Arens?

Mr. ARENS. Have you ever been deported from any country?

(The witness conferred with his counsel.)

Mr. PATTERSON. Not to my knowledge. I would have to have more.

Mr. ARENS. May I call your attention to an article appearing in a Toronto paper?

Mr. PATTERSON. Yes.

Mr. ARENS. Does that refresh your recollection?

Mr. PATTERSON. That refreshes my recollection.

Mr. ARENS. Let me read it and see how vividly your recollection may respond:

CANADA DEPORTS AN AMERICAN.

TORONTO, December 18 [1948] (AP).—William L. Patterson, executive secretary of the Civil Rights Congress of America, today was ordered deported from Canada to the United States. The deportation order was issued by a three-man board of inquiry of the Canadian Immigration Department, which said: "He believes in and advocates the overthrow by force or violence of the Government of Canada and of constituted law and authority." Mr. Patterson "categorically" denied he was a member of the Communist party of Illinois.

May I ask you, having read this article to refresh your recollection; whether or not you were deported from Canada in 1948?

(The witness conferred with his counsel.)

Mr. PATTERSON. I was deported from Canada in 1948, I think, but for no reasons such as are enumerated there.

(Document marked "Patterson, Exhibit No. 10" and retained in committee files.)

The CHAIRMAN. What was the reason?

Mr. PATTERSON. Mr. Walter, whenever a man fights for his rights he is always called desirous of overthrowing the government with force and violence. I have no desire of that kind.

The CHAIRMAN. What was the reason given by the Canadian Government?

Mr. PATTERSON. That was the Canadian Government position as set forth there. Under the pressure of the State Department of the United States which wishes to attach to me the label that I seek to overthrow the Government by force and violence.

The CHAIRMAN. You are not trying to create the impression that the State Department of the United States was fighting to bring you back here, are you?

Mr. PATTERSON. That seems to be very funny.

The CHAIRMAN. It would be very funny if it were true.

Mr. PATTERSON. I think that this whole inquiry is to keep me here. It seems to me that the whole inquiry on your part is to prevent a man who is asking for his rights for traveling. Therefore, it would seem logical that you want to bring me back if you want to keep me here.

Mr. ARENS. Please tell the committee what you were doing in Canada.

Mr. PATTERSON. I had been invited into Canada to speak—what is the date of that?

Mr. ARENS. 1948, in October.

Mr. PATTERSON. What is the month?

Mr. ARENS. In October.

Mr. PATTERSON. In October. I had been invited to speak to—

Mr. ARENS. Excuse me. December.

Mr. PATTERSON. December. I had been invited to speak at a mass meeting that was to have been held, or was held, rather, in Toronto.

Mr. ARENS. Under what auspices was the mass meeting held?

Mr. PATTERSON. I do not recall.

Mr. ARENS. Were you invited as the national executive secretary of the Civil Rights Congress?

Mr. PATTERSON. To the best of my recollection.

Mr. SCHERER. You say you were there only to speak?

Mr. PATTERSON. That is correct. Mr. Jackson—are you Mr. Jackson or Mr. Scherer?

Mr. SCHERER. Scherer. If you only went to Canada to make a speech, how is it they had to deport you?

Mr. PATTERSON. That is just what I am saying. The State Department put pressure on them because I was speaking for constitutional rights and liberties and they wanted to distort it into some attempt to overthrow the Government by force and violence.

Mr. SCHERER. You were there for longer than 1, or 2 or 3 days, were you not?

Mr. PATTERSON. I was not. As a matter of fact on that occasion I was—if I recall I was not even permitted to speak.

Mr. ARENS. Were you a member of the Communist conspiracy when you were in Canada in December of 1948?

(The witness conferred with his counsel.)

Mr. PATTERSON. I didn't hear.

Mr. ARENS. Were you a member of the conspiratorial apparatus known as the Communist Party when you were in Canada in 1948?

Mr. PATTERSON. I have never been a member of any conspiratorial apparatus, known by any name, and I object to that strenuously as an attempt to impeach my integrity and my fight has been for constitutional liberties in our country.

Mr. ARENS. Were you a member of the Communist Party while you were in Canada in 1948?

Mr. PATTERSON. I decline to answer that, Mr. Director—

Mr. SCHERER. I ask you to direct—

Mr. PATTERSON. —for the reasons given.

The CHAIRMAN. You are directed to answer the question, were you a member of the Communist Party on the occasion that you were deported from Canada by the Canadian Government?

(The witness conferred with his counsel.)

Mr. PATTERSON. Mr. Walter, under the first amendment to the Constitution I have a right to decline to answer that question, and you have no right to make such an inquiry.

The CHAIRMAN. Do you decline to answer the question?

Mr. PATTERSON. I do.

Mr. ARENS. Has your passport ever been taken up by the United States Government?

Mr. PATTERSON. My passport was taken up by the United States Government.

Mr. ARENS. When was your passport taken up by the United States Government?

Mr. PATTERSON. I think my passport was taken up when I returned from that trip to the United Nations.

Mr. ARENS. Why was your passport taken up?

Mr. PATTERSON. Because I had gone to the United Nations with a petition, detailing the terror against Negroes over a period of quite a number of years, that petition which I should have brought with me, charging genocide under the United Nations charter and the universal declaration of foreign rights.

Mr. ARENS. Is that the reason the State Department gave you when they took up your passport?

Mr. PATTERSON. The United States gave me no reasons. They snatched my passport when I put it in.

Mr. ARENS. I direct your attention, please, to a letter, a photostatic reproduction of which I have in my hand and shall now display to you, dated July 30, 1952, addressed to you, "William L. Patterson, Executive Secretary, Civil Rights Congress, 23 West 26th Street, New York 10, New York," signed by "R. B. Shipley, Chief, Passport Division" of the Department of State.

"My dear Mr. Patterson"—

Mr. UNGER. Why don't you show him the letter and save a lot of time?

Mr. ARENS. You have been advised repeatedly your sole and exclusive prerogative is to advise your client.

Mr. UNGER. Please. I am saving time. Let the man read the letter, save time.

Mr. SCHERER. I want to hear the letter.

Mr. UNGER. What is the point of reading this letter?

Mr. SCHERER. I want to hear it.

The CHAIRMAN. We want to hear it. Go ahead, Mr. Arens.

Mr. ARENS (reading):

The Department has received your letter of July 22, 1952, in which you ask whether your action at Paris, in presenting various material to the General Assembly of the United Nations was the reason for taking up your passport. I take pleasure in informing you that such is not the case.

Your passport was taken up when you violated the restriction placed on the passport by the Secretary of State and used it for travel to Hungary. In this connection your attention is invited to the following provision of law—

which is then quoted.

Now, I lay this document before you and ask you if this is a true and correct reproduction of a letter which you received and was sent to you by Mrs. Shipley, then Chief of the Passport Division of the Department of State under date of July 30, 1952?

(Document was handed the witness.)

(Document marked "Patterson Exhibit No. 11" and retained in committee files.)

(The witness conferred with his counsel.)

Mr. PATTERSON. May I ask when my passport was taken up?

Mr. ARENS. I have here a photostatic reproduction of a letter signed by yourself to Mrs. Shipley in which, among other things, you say: "On the 3rd of January, 1952, upon my return from Europe——"

Mr. PATTERSON. Thank you. That is all I wanted. Now, when my passport was taken up the question——

(Document marked "Patterson Exhibit No. 12" and retained in committee files.)

Mr. ARENS. First of all, would you please answer the outstanding question, Is the document which you now hold in your hand a true and correct reproduction of a letter which was directed to you and received by yourself from Mrs. Shipley?

Mr. PATTERSON. Yes, but the reasons given differ from the reasons given when my passport was taken up. The State Department had time to think over the matter and to find a position which they thought would be acceptable to the general public. But the basic reason is that I appeared before the United Nations and not because I went somewhere else.

Mr. ARENS. Now, in a moment I expect to display to you a current passport application filed by yourself in July of 1958, a passport application pursuant to which, we understand, a new passport has just been recently issued to you. Before displaying this passport application to you, I want the record to be clear on one point. Have you, at any time, filed a passport application under such circumstances in which you were required by the State Department to answer questions as to whether or not you were a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. PATTERSON. Mr. Director, you have an application before you, made by me and I think signed by me, in which I have answered every question—it is on the record, anyway.

Mr. UNGER. Let the committee listen.

Mr. PATTERSON. I was saying when you had your other meeting.

The CHAIRMAN. I was listening.

Mr. SCHERER. We were talking about your testimony.

Mr. PATTERSON. I was saying that the Staff Director has an application before him and signed by me. Every question that is there I answered——

Mr. ARENS. Apparently you misconstrued my question——

Mr. PATTERSON. —sincerely and correctly.

Mr. ARENS. May I rephrase my question, Mr. Chairman, if you please?

Mr. PATTERSON. All other applications that I have, I have answered the questions correctly.

Mr. ARENS. I want the record to be clear—and I am sure the chairman does, too—on this one point, which is very important to the inquiry here, namely——

Mr. PATTERSON. And one other point—

Mr. ARENS. Forgetting for the moment, Mr. Patterson, the current application that I am going to be displaying to you in a few minutes, and talking about all the applications which you filed for these several passports and renewals, they occurred prior to 1950, did they not?

Mr. PATTERSON. I think that all you have shown me did, I think.

Mr. ARENS. It is a fact, is it not, that in none of the passport applications filed by yourself, pursuant to which passports were issued to you prior to 1950, were you required under the then existing practice of the State Department to answer questions as to whether or not you were a Communist. That is a fact, is it not?

(The witness conferred with his counsel.)

Mr. PATTERSON. But the political affiliations of a person, whether Republican, Democrat, Socialist, or Communist, were not inquired into as the—

The CHAIRMAN. That is right. The record shows it.

Mr. ARENS. Now I have in my hand, Mr. Chairman, for the purpose of making the record clear on this, the passport application form which has been in use since about March, 1957. In these passport applications, beginning about March, 1957, appear questions respecting membership of the applicant if any, in the Communist Party.

Now, I display to you a passport application filed by you, according to the document itself, in July of 1958, which according to the calendar would be just about one month after the decision of the Supreme Court in the Kent-Briehl case.

I ask you now if you will kindly examine that document which I am displaying to you and tell this committee whether or not that is a true and correct reproduction of a passport application filed by yourself in 1958.

(Document was handed the witness.)

Mr. PATTERSON. I think it is.

(Document marked "Patterson Exhibit No. 13" and retained in committee files.)

Mr. ARENS. Now may I invite your attention, if you please—may I have it for a moment?

(Document handed to Mr. Arens.)

Mr. ARENS. I invite your attention to the second page of this passport application in which three questions appear: "Are you now a member of the Communist Party? Answer 'Yes' or 'No.' Have you ever been a member of the Communist Party? Answer 'Yes' or 'No.' If ever a member, state period of membership from ----- to -----."

And I invite your attention to the document to solicit from you, if you please, an answer to this question: Did you on the passport application answer any of those three questions?

(Document was handed the witness.)

(The witness conferred with his counsel.)

The CHAIRMAN. What does the application show, Mr. Arens?

Mr. UNGER. It obviously shows a blank, and Mr. Arens knows that.

The CHAIRMAN. You talk to your client. I am asking Mr. Arens a question.

Mr. ARENS. It shows one big "X," Mr. Chairman.

I would like to have on the record his answer to this because I have a succeeding question that bears on it.

The CHAIRMAN. Answer the question, Mr. Patterson.

Mr. PATTERSON. Just one second. I am conferring with my counsel, if you will, Mr. Chairman.

Mr. ARENS. Would you please answer the question?

Mr. PATTERSON. I would like to get the—

Mr. ARENS. The Chairman hears you. Go ahead. Please answer the question.

Mr. PATTERSON. I didn't answer that question because the State Department correctly, under the decision of the Supreme Court, held that it was not—that that question could be evaded and, therefore, under the State Department's position and the Supreme Court's decision in the case of Kent and Briehl, the cases of Rockwell Kent and Briehl, I am of the political opinion of others that whether you are a Republican, Democrat, Socialist, or what have you, it was not necessary nor within the province of the State Department to inquire.

The CHAIRMAN. Thank you very much. You have been of great help to this committee.

Mr. ARENS. Was a passport issued to you pursuant to this application which you filed several months ago?

Mr. PATTERSON. It was.

Mr. ARENS. And you now have in your possession a United States passport issued to you pursuant to this application made in July of 1958; is that correct?

Mr. PATTERSON. Yes, that is correct.

Mr. ARENS. Now, may I ask you, as of the instant that you affixed your signature to this passport application in July of 1958, were you then a member of the Communist Party?

(Witness confers with his counsel.)

Mr. PATTERSON. Mr. Staff Director—I am glad I afforded you the pleasure that you seem to have at the moment, Mr. Chairman.

The CHAIRMAN. That is quite all right.

Mr. PATTERSON. I am quite happy to detect it. Mr. Staff Director, it is not within your province to ask that question any more than it was the province of the State Department, as held by the Supreme Court. Therefore, with authority of the Supreme Court, I decline, and, of course, under the Constitution, I decline to answer that question.

Mr. SCHERER. I ask that he be directed to answer the question.

The CHAIRMAN. You are directed to answer the question, Mr. Patterson.

Mr. PATTERSON. I decline.

Mr. ARENS. Where do you intend to go on your passport and when?

Mr. PATTERSON. It would be impossible for me to answer such a question, because I don't know.

Mr. ARENS. Did you tell the State Department that you wanted to visit and proposed to visit England, France, Russia, Italy, Germany, Austria?

Mr. PATTERSON. If I did, then it is obvious that that is where I wanted to go. You are asking me now where I would go. I don't know.

Mr. ARENS. Have you changed your plans as to whether or not you are going to make the trip?

Mr. PATTERSON. Of course I have not changed any plans.

Mr. ARENS. Do you still intend to make the trip?

Mr. PATTERSON. I don't know.

The CHAIRMAN. The fact of the matter is you never intended to take the trip. You only went through the motions because of the Supreme Court decision; isn't that correct?

Mr. PATTERSON. Your opinion, I don't think, determines it.

The CHAIRMAN. No, it does not determine it, but I am inclined to it. That is my opinion.

Mr. PATTERSON. Yes. And the answer is no, it is not true.

Mr. ARENS. I should like to invite your attention now to two articles, one in "New Times," 1953, in which the following appears with reference to the untimely demise of Joseph Stalin:

The common people of America share the grief of all the working people at the loss of the great champion of peace. Thousands attended a meeting in Rockland Palace, New York, at which William Patterson, Chairman of the Civil Rights Congress, expressed the sorrow of the American people. He said:

"We bow our heads, together with the hundreds of millions of others who across the world mourn the death of Joseph Stalin, the greatest peoples' champion that our world has known."

Did you make the statements which I have just read?

(Witness confers with his counsel.)

Mr. PATTERSON. I do not know whether I made that statement. Probably I did. We had just come out of a war in which the courage and heroism of the people of the Soviet Union under the leadership of Mr. Stalin was a determining factor in victory. I might have very well made that.

Mr. ARENS. Did you change your mind about Joseph Stalin after Mr. Khrushchev made his speech at the Twentieth Party Congress of the Communists assembly in Moscow?

Mr. PATTERSON. I decline to answer that question.

Mr. ARENS. Now, I display to you still another document, "A Friendship Book," in which William L. Patterson is quoted, among other statements, as follows:

* * * So, living now, I must take my stand with the Soviet Union in its support of the freedom struggle of the Asian peoples, of Africa and all progressive mankind.

Did you make that statement which I have just read and which is attributed to you in this booklet, "A Friendship Book"?

Mr. PATTERSON. I probably did. I will take my stand with any people fighting for human dignity.

(Documents marked "Patterson Exhibit No. 14" and retained in committee files.)

Mr. ARENS. Those are all the questions I have.

Mr. SCHERER. Before we adjourn, Mr. Chairman, I would like to offer for the record a column by Victor Riesel to follow in the record the testimony of Harry Bridges on yesterday.¹

The CHAIRMAN. The committee is now adjourned to meet tomorrow morning at 10 o'clock.

(Committee members present in the hearing room: Representatives Walter, Doyle, and Scherer.)

(Whereupon, at 11:25 a.m., Wednesday, April 22, 1959, the committee was recessed, to reconvene at 10 a.m., Thursday, April 23, 1959.)

¹ See hearings on Passport Security—Part 1 (Testimony of Harry R. Bridges, Apr. 21, 1959), pp. 738, 739.

PASSPORT SECURITY

THURSDAY, APRIL 23, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE OF UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:05 a.m., in the Caucus Room, Old House Office Building, the Honorable Francis E. Walter (committee chairman) presiding.

Subcommittee members: Representatives Francis E. Walter, Pennsylvania; Morgan M. Moulder, Missouri; Clyde Doyle, California; Donald L. Jackson, California; and Gordon H. Scherer, Ohio.

Committee members also present: Representatives William M. Tuck, Virginia, and August E. Johansen of Michigan (appearance as noted).

Staff members present: Richard Arens, staff director, and Donald T. Appell, investigator.

The CHAIRMAN. The committee will come to order. Mr. Arens will you call your first witness?

(Members present: Representatives Walter, Doyle, Tuck, and Jackson.)

Mr. ARENS. Casimir Nowacki, kindly come forward.

The CHAIRMAN. Please raise your right hand.

Will you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NOWACKI. Yes. ~~Casimir T. Nowacki~~ *Foraker*

TESTIMONY OF CASIMIR THADDEUS NOWACKI, ACCOMPANIED BY COUNSEL, JOSEPH FORER

Mr. ARENS. Please identify yourself by name, residence, and occupation. *B 5-10-1904 Kenosha, Wis. H.C.H.A. 4-23-1959 Wash. D.C.*

Mr. NOWACKI. My name is Casimir T. Nowacki.

Mr. ARENS. Would you kindly spell it for us? We are not certain of our spelling.

Mr. NOWACKI. C-a-s-i-m-i-r, initial T., last name N-o-w-a-c-k-i. And I live at 952 Albus Street, New York City.

Mr. ARENS. Your occupation, please, sir?

Mr. NOWACKI. In reference to my occupation I refuse to answer that question for three reasons. First, I think that this committee is unconstitutional; and, secondly, the question is irrelevant; and,

third, I do claim my privilege under the fifth amendment not to be a witness against myself.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. NOWACKI. Correct.

Mr. ARENS. And you are represented by counsel?

Mr. NOWACKI. Correct.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. FORER. Joseph ~~Forer~~, 711 14th Street NW., Washington, D.C.

THE CHAIRMAN. What was the question he refused to answer Mr. Arens?

Mr. ARENS. His occupation, and invoked the fifth.

The CHAIRMAN. Mr. Nowacki, you are directed to answer the question as to what your occupation is.

(The witness conferred with his counsel.)

Mr. NOWACKI. I shall abide by my refusal.

Mr. ARENS. Where and when were you born?

Mr. NOWACKI. I was born May 10, 1904, in Kenosha, Wisconsin.

Mr. ARENS. Give us just a word, please, sir, respecting your formal education.

Mr. NOWACKI. I finished Kenosha High School and then I went up to Marquette.

Mr. ARENS. Would it be convenient for you to keep your voice up a little bit?

Mr. NOWACKI. I went to Kenosha High School and then I went to Marquette University in Milwaukee, and I took a couple years of engineering and a couple years of business administration.

Mr. ARENS. When did you complete your formal education?

Mr. NOWACKI. About 1928.

Mr. ARENS. Give us, if you please, sir, the principal occupations or employments you have had since you completed your formal education.

Mr. NOWACKI. I again refuse to answer for the reasons already given.

Mr. ARENS. Is there any employment you have engaged in since you completed your formal education concerning which you can tell this committee without supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. NOWACKI. I again refuse to answer for the same reasons already given.

Mr. ARENS. How long have you been engaged in your present occupation?

Mr. NOWACKI. I refuse to answer for the same reasons given.

Mr. ARENS. Mr. Nowacki, have you ever used any name other than the name Nowacki pursuant to which you are appearing today?

Mr. NOWACKI. I refuse to answer for the reasons already given.

Mr. ARENS. Mr. Nowacki, have you ever applied for a United States passport?

Mr. NOWACKI. Yes, I have applied for a United States passport.

Mr. ARENS. What was the year in which you first applied for a United States passport?

Mr. NOWACKI. I believe it was 1949.

Mr. ARENS. I display to you, if you please, sir, a photostatic reproduction of a passport application bearing the signature of Casimir Nowacki and ask you if you would kindly examine this document and tell the committee whether or not that is a true and correct reproduction of the passport application which you filed in 1949 with the Department of State.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWACKI. Yes, it is apparently the passport I applied for.

(Document marked "Nowacki Exhibit No. 1," and retained in committee files.)

Mr. ARENS. Mr. Nowacki, one or two of the gentlemen present here have informed me casually they are having difficulty hearing you. Would it be convenient for you to get closer to the microphone or raise your voice or perhaps a combination of the two?

Mr. NOWACKI. Yes, that is my passport application.

Mr. ARENS. Was a passport issued pursuant to this application?

Mr. NOWACKI. No, I think that is my first attempt to make an application.

Mr. ARENS. Did you receive a passport?

Mr. NOWACKI. This particular application was followed through with there being received a passport.

Mr. ARENS. Where did you go on the passport?

Mr. NOWACKI. I went to Poland with a stopover at Copenhagen, a stop we made.

Mr. ARENS. Who paid your expenses on the trip to Poland?

Mr. NOWACKI. That question I refuse to answer for reasons already given.

Mr. ARENS. Were your expenses to Poland paid by the Communist Party?

Mr. NOWACKI. I refuse to answer for the reasons already given.

Mr. ARENS. How long were you in Poland?

Mr. NOWACKI. About three months.

Mr. ARENS. Would you accommodate the committee by telling us whether or not in the passport application or in your negotiations with the Department of State in 1949 to procure a passport, if you were interrogated as to whether or not you were a member of the Communist Party.

Mr. NOWACKI. I refuse to answer that question for the reasons given before.

Mr. ARENS. Where did you go in Poland?

Mr. NOWACKI. All around the country, the major cities, also the crematoriums of Modlin, Augustow, Warsaw. Those are the major cities.

Mr. ARENS. Did you tell the Department of State in 1949 that your purpose was to visit relatives in Poland?

Mr. NOWACKI. Yes.

Mr. ARENS. Was that your purpose?

Mr. NOWACKI. I wanted to see relatives.

Mr. ARENS. Was that the exclusive purpose that you had?

(The witness conferred with his counsel.)

Mr. NOWACKI. I also wanted to see the country.

Mr. ARENS. Was that the exclusive purpose?

Mr. NOWACKI. Yes.

Mr. ARENS. Did you while you were in Poland attend a special training course of the United Polish Workers Party conducted at Warsaw?

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer that question for reasons already given.

Mr. ARENS. Did you contemplate attending this training course of the United Polish Workers Party at Warsaw, Poland, at the time you filed your passport application?

Mr. NOWACKI. I refuse to answer for the reasons already given.

Mr. ARENS. Did you by any means communicate to the Department of State prior to your receipt of a passport your intention to attend a training course in Warsaw, Poland, under the auspices of the United Polish Workers Party?

Mr. NOWACKI. I refuse to answer the question for reasons already given.

Mr. ARENS. Mr. Nowacki, I put it to you as a fact, based upon intelligence information that has been made available to this committee, that in 1949 in Warsaw, Poland, you did attend a special training course for Communists conducted under the auspices of the United Polish Workers Party, and I ask you now, while you are under oath, to affirm or deny that assertion of fact.

Mr. NOWACKI. I refuse to answer the question for the reasons already given.

Mr. ARENS. How long did you stay in Poland?

Mr. NOWACKI. I guess about three months.

Mr. ARENS. Were you accompanied by any other person on your trip?

(The witness conferred with his counsel.)

Mr. NOWACKI. Not that I am aware of.

Mr. ARENS. Then did you return to the United States or did you go to some other country?

Mr. NOWACKI. I returned to the United States.

Mr. ARENS. Since you received your passport in 1949 have you solicited and received another passport?

Mr. NOWACKI. Yes.

Mr. ARENS. Did you make application for United States passport in 1956?

Mr. NOWACKI. I believe I did.

Mr. ARENS. I display to you, if you please, sir, a photostatic reproduction of a passport application filed by Casimir Thaddeus Nowacki with the Department of State in early 1956 and ask you if that is a true and correct reproduction of the passport application which you filed.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

(Representative Johansen entered the room.)

Mr. NOWACKI. Yes. This apparently is my passport that I filed, the application.

(Document marked "Nowacki Exhibit No. 2," and retained in committee files.)

Mr. ARENS. Now was a passport issued to you pursuant to this application?

Mr. NOWACKI. Yes, a passport was issued to me.

Mr. ARENS. Where did you tell the Department of State you wanted to go in 1956?

Mr. NOWACKI. I think Poland.

Mr. ARENS. Subsequent to the issuance of this passport to you in February of 1956 did you in April of 1956 receive a letter from the Department of State soliciting from you additional information?

Mr. NOWACKI. That was after I made the application?

Mr. ARENS. Yes, sir.

Mr. NOWACKI. That I don't know.

Mr. ARENS. I display to you, if you please, sir, a photostatic reproduction of a letter addressed to you from the director of the passport office, from which I would like to read at least a few excerpts.

The CHAIRMAN. I think out of fairness to the witness you ought to show it to him.

Mr. ARENS. I will first ask you if you can identify it. Is that a true and correct reproduction of a letter which you received from the Department of State on the date indicated at the top of the letter (4-4-56).

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWACKI. Yes, I am sure I received this, sir.

The CHAIRMAN. You may interrogate him as to any part of it.

Mr. ARENS. May I read, if you please, for the record, Mr. Chairman, at least excerpts of it and then request that the letter itself be incorporated by reference in the record?

DEAR MR. NOWACKI: Your entitlement to passport facilities is being considered under the provisions of section 51.135 of the Passport Regulations, the text of which is set forth under the enclosed circular.

You are requested to submit under oath or affirmation a statement with respect to present or past membership in the Communist Party. In the event your membership has terminated, you should indicate when or under what conditions such termination occurred.

Pending receipt of the above affidavit, Passport No. 838690 is hereby withdrawn and you are requested to surrender it to the bearer of this letter, an authorized representative of the Department of State. Any attempt to use this passport may subject you to prosecution under the provisions of section 1544, title 18 of the United States Code, which reads in part, as follows: * * *

Mr. Nowacki, did you upon receipt of this letter, a photostatic reproduction of which you have identified, return information to the Department of State as to whether or not you were then or had been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. NOWACKI. No.

(Document marked "Nowacki Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Was your passport surrendered by yourself to the Department of State?

(The witness conferred with his counsel.)

Mr. NOWACKI. It was seized.

Mr. ARENS. Where and when was it seized?

(The witness conferred with his counsel.)

Mr. NOWACKI. At the gangplank on the way going over, on the gangplank.

Mr. ARENS. On the gangplank when you were about to depart from the United States with a passport in your possession, is that right?

(The witness conferred with his counsel.)

Mr. NOWACKI. Right. Naturally when I got that letter it was at the same time. When I got the letter it was at the same time.

Mr. ARENS. As of the time you applied for this passport and as of the time the passport was issued and as of the time your passport was seized, were you on each of those occasions then a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer for reasons already given.

Mr. ARENS. Who paid your expenses on this trip to Poland?

Mr. NOWACKI. What was that again?

Mr. ARENS. Who was to pay your expenses on the trip to Poland?

Mr. NOWACKI. I refuse to answer for reasons already given.

Mr. ARENS. Was your sole, exclusive objective and purpose of your contemplated trip to Poland to vacation and visit relatives or was there another purpose?

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer for the reasons already given.

Mr. ARENS. Now, sir, did you thereafter file another passport application?

Mr. NOWACKI. Yes, I did.

Mr. ARENS. When did you file your next passport application?

Mr. NOWACKI. I believe it is November 1958.

Mr. ARENS. So the record will reflect and be made clear it was a few months after the decision in the Kent-Briehl case.

I display to you, if you please, sir, now, a photostatic reproduction of a passport application and ask you if this is a true and correct reproduction of a passport application filed by you in August of 1958.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWACKI. I think this is my passport application, but I think there is some writing in there that is not my writing.

Mr. ARENS. Is it material, the writing that is not your writing?

Mr. NOWACKI. I cannot figure, decipher it.

Mr. ARENS. That is writing at the very bottom of the first page in the margin, is that correct?

Mr. NOWACKI. Yes.

Mr. ARENS. That you feel is not your writing?

Mr. NOWACKI. Yes, that is correct.

Mr. ARENS. Beside the writing to which you have just alluded, is this a true and correct reproduction of the passport application as you signed it and filed it?

Mr. NOWACKI. I think it is.

Mr. ARENS. Was a passport issued pursuant to this application?

Mr. NOWACKI. Yes.

Mr. ARENS. I direct your attention to page 2 of this passport application in which three questions appear: "Are you now a member of the Communist Party? Write Yes or No. Have you ever been a member of the Communist Party? Write Yes or No. If ever a member, state period of membership, from — to —."

Did you on this passport application fill out those questions, answer those questions which I have just read?

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWACKI. No, I didn't answer those because I heard the Supreme Court had given the reasons, that they had no right to answer that question.

(Document marked "Nowacki Exhibit No. 4," and retained in committee files.)

Mr. FORER. Not to answer it, to ask it.

The CHAIRMAN. You mean they had no right. You mean the State Department had no authority to ask the questions?

Mr. NOWACKI. Correct.

The CHAIRMAN. That is the reason why you did not answer?

Mr. NOWACKI. That is the reason I did not answer the question on the application.

Mr. ARENS. As of the time you filed this passport application in August of 1958, were you then a member of the Communist Party?

Mr. NOWACKI. I refuse to answer for the reasons already given.

Mr. ARENS. Have you traveled on the United States passport issued to you in November 1958, pursuant to the application which was filed?

Mr. NOWACKI. No, sir.

Mr. ARENS. Do you contemplate traveling on it?

(The witness conferred with his counsel.)

Mr. NOWACKI. Possibly.

Mr. ARENS. Have you made any definite plans?

(The witness conferred with his counsel.)

Mr. NOWACKI. No, sir.

The CHAIRMAN. The fact of the matter is you never intended to travel. You merely obtained a passport because of the decision of the Supreme Court, and you wanted to demonstrate that you could, is that not the fact?

(The witness conferred with his counsel.)

Mr. NOWACKI. That is not true.

The CHAIRMAN. What is true then about your application? You say you have not contemplated taking any trip. Why did you apply for a passport if you did not intend to go somewhere?

(The witness conferred with his counsel.)

Mr. NOWACKI. I made an application with the intentions that there will—I may change my mind. I may want to go, and therefore I will have a passport on hand to be ready to go.

The CHAIRMAN. I see. In other words, you made the application, obtained the passport because while you did not intend to use it, you thought that maybe at sometime or other you might have occasion to?

Mr. NOWACKI. I didn't say that I did not intend to use it.

The CHAIRMAN. All right.

Mr. ARENS. Now, sir, please tell us how long have you lived in New York City.

Mr. NOWACKI. Since 1949.

Mr. ARENS. Where did you live prior to that time?

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer that question for reasons already given.

The CHAIRMAN. You are directed to answer this question. You understand the question, do you not?

Mr. NOWACKI. As to whether I had lived any other place besides New York City in 1949.

The CHAIRMAN. Where did you live other than in New York City?

Mr. NOWACKI. Since 1949?

(The witness conferred with his counsel.)

Mr. NOWACKI. I shall abide by my refusal to answer.

The CHAIRMAN. You feel that if you would answer that question you might be subjected to a criminal prosecution?

(The witness conferred with his counsel.)

Mr. NOWACKI. It is possible.

Mr. JACKSON. Mr. Chairman, Mr. Nowacki, on the passport application, the original passport application, there is an address given, "Casimir T. Nowacki, 244 South Olive Street, Los Angeles 12, California." Was that your address on that date?

Mr. NOWACKI. Correct. It was.

Mr. JACKSON. Then you did reside in Los Angeles prior to the time you went to New York?

Mr. NOWACKI. Yes.

Mr. JACKSON. I think that was the substance of the question counsel was asking.

Mr. ARENS. Precisely.

Where did you reside prior to the time you lived in New York City?

Mr. NOWACKI. Los Angeles.

Mr. FORER. You mean immediately prior?

Mr. NOWACKI. Los Angeles.

Mr. FORER. Wait a minute.

(The witness conferred with his counsel.)

The CHAIRMAN. Now he has already answered the question. He answered the question, Los Angeles.

Mr. FORER. No, he didn't.

The CHAIRMAN. He did. I heard him, before you put other words in his mouth. We will leave that answer just where it is.

Mr. FORER. All right. Leave it. Let the record show the way it stands.

The CHAIRMAN. Go ahead, Mr. Arens.

Mr. ARENS. Are you the head of the Polonia Club?

Mr. NOWACKI. I refuse to answer for the reasons already given.

Mr. ARENS. Were you in 1957 the head of the Polonia Club?

Mr. NOWACKI. I refuse to answer for the reasons already given.

Mr. ARENS. I display to you now, if you please, sir, a thermofax reproduction of the Communist Daily Worker of Tuesday, February 19, 1957, in which an article appears respecting Polish-United States trade talks. In this article appears reference to a letter sent to the chairman of the House Committee on Foreign Affairs by Casimir Nowacki designated in this article as head of the Polonia Club. Kindly look at this article and tell this committee whether or not that refreshes your recollection with reference to your office as head of the Polonia Club.

Mr. FORER. He didn't say he didn't remember. What has the refreshing his recollection got to do with it? Do you want to change your question?

Mr. ARENS. Kindly tell this committee whether or not the facts recited there with reference to your connection with the Polonia Club are true and correct?

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer that question for the reasons already given.

(Document marked "Nowacki Exhibit No. 5," and retained in committee files.)

Mr. ARENS. Are you now or have you been in the course of the last 2 years a contributor to the English Section of the People's Voice?

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer that question for the reasons already given.

Mr. ARENS. I display to you now, if you please, sir, a thermofax reproduction of the masthead of the People's Voice of Saturday, February 28, 1948, carrying in the masthead the name of Casimir T. Nowacki, as a contributor.

Kindly look at that document which I display to you and tell this committee whether or not the designation there is a fact, to your certain knowledge.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer for the reasons already given.

(Document marked "Nowacki Exhibit No. 6" and retained in committee files.)

Mr. ARENS. Have you been the executive secretary of the Slavic Council of Southern California?

Mr. NOWACKI. I refuse to answer for the reasons already given.

Mr. ARENS. I display to you now, please, sir, copy of an article appearing in the Daily People's World of August 27, 1948, referring to a letter to the then Attorney General Tom Clark, and to President Harry Truman, from Casimir T. Nowacki designated in this article as executive secretary of the Slavic Council of Southern California. Kindly look at this document and tell this committee whether or not the designation of yourself as executive secretary of that organization is true and correct.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer this question for reasons already given.

(Document marked "Nowacki Exhibit No. 7," and retained in committee files.)

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that in 1944, 1946, 1947, and 1948 you were a member of the Nationalities Commission of the Los Angeles Communist Party.

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer that for the same reasons given before.

Mr. ARENS. Were you or have you been in the course of the recent past the editor of the Slavic-American News, organ of the Slavic Council of Southern California?

Mr. NOWACKI. I refuse to answer that for the same reasons given before.

Mr. ARENS. I display to you, if you please, sir, a photostatic reproduction of the Daily People's World, September 13, 1950, in

which Casimir T. Nowacki is alluded to as the editor of the Slavic-American News. Kindly look at that document and tell this committee whether or not the designation there is true and correct.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer this question for the reasons already given.

(Document marked "Nowacki Exhibit No. 8," and retained in committee files.)

Mr. FORER. Do you want to read this article into the record, Mr. Arens?

Mr. ARENS. No, thank you, Counsel, and you know your sole and exclusive prerogative is to advise your client.

I display to you, if you please, sir, a photostatic reproduction of an article in the Daily People's World of Wednesday, September 21, 1949, entitled, "Poland Today: Social Services Make Living Easier for the People," written from Warsaw, Poland, special to The Daily People's World by Casimir T. Nowacki. Kindly look at this document I am displaying to you and tell this committee whether or not that is a true and correct reproduction of an article sent by you to the Daily People's World from Warsaw, Poland.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer for the same reasons given before.

(Document marked "Nowacki Exhibit No. 9," and retained in committee files.)

Mr. ARENS. Have you had any contractual relationships with the Communist government of Poland?

(The witness conferred with his counsel.)

Mr. NOWACKI. Repeat that question again.

Mr. ARENS. Have you had any contractual relationships in the course of the last few years with the Communist government of Poland, or any subdivision or unit thereof?

Mr. FORER. Contract.

(The witness conferred with his counsel.)

Mr. NOWACKI. No, sir.

Mr. ARENS. Have you been engaged in any business enterprise taking people or escorting people to Poland?

(The witness conferred with his counsel.)

Mr. NOWACKI. I had no contract with the Polish Government insofar as a business transaction, if that is what you are referring to.

Mr. ARENS. Did you have contractual relationships or business activities of any kind, nature, or description with the end in view of causing persons to be transported from the United States to Poland?

(The witness conferred with his counsel.)

Mr. NOWACKI. I was going to lead a tour to Poland, but then my passport was seized at the time.

Mr. ARENS. Under what auspices were you to lead the tour?

Mr. NOWACKI. I refuse to answer that question for reasons already given.

Mr. ARENS. Have you in the course of the last three or four years been in conference with members of the Polish delegation to the United Nations?

Mr. NOWACKI. Last three or four years?

Mr. ARENS. Yes, sir.

Mr. NOWACKI. In conference?

Mr. ARENS. Yes, sir.

(The witness conferred with his counsel.)

Mr. NOWACKI. What do you mean, conferences, talk to or——

Mr. ARENS. Yes, sir. Let's start with that.

Mr. NOWACKI. I refuse to answer that for the reasons already given.

Mr. ARENS. Have you supplied any information respecting the names and addresses of persons in the United States to members of the official delegation of the Polish Government in the United States?

(The witness conferred with his counsel.)

Mr. NOWACKI. Not that I recall, no.

Mr. ARENS. Was your solicitation of a United States passport last year at the direction or instigation of any person known to be a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. NOWACKI. No, sir.

Mr. ARENS. Are you now, this moment, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer for the reasons already given.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

The CHAIRMAN. Any questions, Mr. Doyle?

Mr. DOYLE. Just one or two.

Mr. NOWACKI, you gave your address in April 1949 when you applied for that passport——

Mr. NOWACKI. Yes.

Mr. DOYLE. —as 244 South Olive, Los Angeles?

Mr. NOWACKI. Correct.

Mr. DOYLE. About how long did you reside at that address prior to the time you filed your passport application on April 25, 1949?

(The witness conferred with his counsel.)

Mr. NOWACKI. Oh, before I filed it?

Mr. DOYLE. About how long?

Mr. NOWACKI. That was what date that I filed it?

Mr. DOYLE. April, 1949.

Mr. NOWACKI. April, 1949. I would guess about a year and a half, two years.

Mr. DOYLE. Did you live at any place other than 244 South Olive, while in California?

Mr. NOWACKI. Yes.

Mr. DOYLE. Where?

Mr. NOWACKI. On 3020 Sunset Boulevard.

Mr. DOYLE. About how long did you live there?

Mr. NOWACKI. About five years.

Mr. DOYLE. And prior to the time you lived at this address, at Sunset Boulevard, at what other address in California did you live?

Mr. NOWACKI. Let's see. I owned a home at 9th and 57th Street—wait a minute. I am not sure, 932—57th.

Mr. DOYLE. In Los Angeles?

Mr. NOWACKI. Yes.

Mr. DOYLE. Approximately how long?

Mr. NOWACKI. About four years.

Mr. DOYLE. While you were residing at any of these three places you named in Los Angeles, California, did you use any name other than your present one before this committee?

(The witness conferred with his counsel.)

Mr. DOYLE. Mr. Chairman, I am asking this for the purpose of identification. I ask that the witness be instructed to answer.

The CHAIRMAN. You are instructed to answer the question. Have you used any name other than the name that you are using today in this hearing?

(The witness conferred with his counsel.)

Mr. NOWACKI. I refuse to answer for the reasons already given.

Mr. DOYLE. Is the address 244 South Olive a residence? I mean a single dwelling or apartment house or flat or a business building?

Mr. NOWACKI. No. It is on Bunker Hill, next to Eagles Flight.

Mr. DOYLE. Beg pardon?

Mr. NOWACKI. Next to Eagles Flight on Bunker Hill. It is about an eight-story building.

Mr. DOYLE. At that address were you engaged in any business or did you just reside there?

Mr. NOWACKI. I just resided there.

Mr. DOYLE. That is all, Mr. Chairman.

The CHAIRMAN. Any questions, Governor?

Mr. TUCK. I have no questions.

The CHAIRMAN. Any questions, Mr. Jackson?

Mr. JACKSON. No questions.

The CHAIRMAN. Any questions, Mr. Johansen?

Mr. JOHANSEN. No questions.

The CHAIRMAN. The witness is excused.

Mr. ARENS. Mr. Chairman, I wonder if in advance of the next witness, because Mr. Boudin represents two other witnesses who have been subpoenaed, we could make a record on the continuation of their subpoena, if you please. Counsel is present.

Mr. BOUDIN. We already agreed in writing, so you don't have to make a record.

Mr. ARENS. I would like to have the chairman order on this.

Mr. BOUDIN. No objection, Mr. Chairman.

The CHAIRMAN. I do not know anything about it.

Mr. ARENS. Mr. Chairman, the first witness who was under subpoena is Mr. Walter Cronan. Mr. Boudin sent to the office just a few days ago a doctor's certificate to the effect that Mr. Cronan had been injured in an automobile accident and his appearance today would be continued.

The CHAIRMAN. Let that subpoena be continued.

Mr. ARENS. He sent also a message to the effect that another witness, Mr. Victor Michael Berman, also under subpoena, is, because of very strong personal reasons, unable to be here today, personal reasons being he can't travel.

The CHAIRMAN. Are you satisfied?

Mr. ARENS. Yes, sir, and I respectfully suggest that he be continued under his subpoena.

The CHAIRMAN. Yes.

Mr. BOUDIN. Thank you, Mr. Chairman.

The CHAIRMAN. Call your next witness.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mrs. Dorothy Ray Friedman.

The CHAIRMAN. Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God.

Mrs. FRIEDMAN. I do. H.C. 11, 14 4-23-1959 W9-6, 0.5

**TESTIMONY OF DOROTHY RAY FRIEDMAN, ACCOMPANIED BY
COUNSEL, LEONARD B. BOUDIN**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. FRIEDMAN. My name is Dorothy Friedman. I live at Providence, Rhode Island. I am a housewife.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. FRIEDMAN. Yes, that is true.

Mr. ARENS. And you are represented by counsel?

Mrs. FRIEDMAN. That is true.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. BOUDIN. Leonard B. Boudin, B-o-u-d-i-n, 25 Broad Street, New York City.

Mr. ARENS. Mrs. Friedman, where were you born?

Mrs. FRIEDMAN. I decline to answer on the following grounds:

First, this being the second time that the committee has subpoenaed me to ask me substantially the same questions, the hearing is without legislative purpose, and is for the purpose harassment. Second, the committee is without jurisdiction over the subject of passport, that being a matter under the jurisdiction of either the House Judiciary or the House Foreign Affairs Committee. Third, the resolution creating this committee is so vague as not to indicate the intention of Congress, and therefore my right to due process is impaired. Fourth, the question is not pertinent to any subject which might be legitimately under investigation. Fifth, the question violates my rights under the first amendment and my rights and constitutional privilege under the fifth amendment to the Constitution.

Mr. ARENS. Do you believe that the answer to the question where you were born might in some way cause you to be prosecuted criminally?

Mrs. FRIEDMAN. I decline to answer, sir.

The CHAIRMAN. You are directed to answer the question.

Mrs. FRIEDMAN. I decline, sir.

Mr. ARENS. Mr. Chairman, I wonder if you would permit me to make an explanation of pertinency?

The CHAIRMAN. Never mind about that. You are directed to answer the question, Mrs. Friedman.

Mrs. FRIEDMAN. I decline to answer for the reasons already given, sir.

The CHAIRMAN. Why did you ask the question, Mr. Arens?

Mr. ARENS. The pertinency of this question to the subject matter that the committee has before it today is in essence this:

That in March of 1958 this committee held hearings in Boston, Mass., at which time the first witness was a man by the name of Armando Penha, who for a number of years had been an undercover agent in the Federal Bureau of Investigation. Armando Penha broke from the Communist apparatus as an undercover agent the instant he took his oath before this committee and testified. In the course of his testimony Mr. Penha identified the witness who is presently before us, Dorothy Ray Friedman, and related her activities as a member of the conspiratorial apparatus; pursuant to the custom of this committee Mrs. Friedman was subpoenaed in Boston. That was in March of 1958.

She was interrogated with respect to the testimony of the undercover agent of the Federal Bureau of Investigation. She was given an opportunity to deny. She was confronted with each of the various elements which this undercover agent produced before the committee.

In each instance she refused to answer questions as she has done today even on elements of where she was born and the like.

The CHAIRMAN. I notice that you have before you an application for a passport. Was this question as to the place of birth asked for the purpose of identifying this witness with the person who applied for a passport?

Mr. ARENS. That is precisely what I am coming to, Mr. Chairman.

This testimony was in March 1958. Thereafter, just four months later, notwithstanding this testimony in Boston, this lady presented an application for a passport to the Department of State to travel abroad and, as I think the proceedings will show in just a few moments, refused to answer any questions respecting Communist Party affiliations or activities even as of that time and a passport was issued.

The CHAIRMAN. It is interesting to all of us to note that each of these people know almost verbatim the contents of the decision of the Supreme Court.

Go ahead.

Mr. JACKSON. May I ask one question, Mr. Chairman, of counsel?

The original appearance before the committee of the present witness that was related, as I understand counsel's explanation, referred to membership in the Communist Party and not to the subject of passports, is that correct?

Mr. ARENS. That is correct, yes, sir. She was identified by a live undercover agent in the Federal Bureau of Investigation who had been serving in the Communist Party, a matter of hours before her appearance, as a then member of the conspiratorial apparatus. She was then confronted with that testimony and did not avail herself of an opportunity to deny it. Indeed she invoked constitutional privilege on every element.

Then within the course of four months' time she applied for a United States passport, refused to answer any questions as to Communist Party membership of activity and was issued a passport as a matter of course.

It is for that reason we felt it was certainly germane to this inquiry.

Mr. JACKSON. I think this is very important in the light of relevance. The questions today are directed to the passport matter pres-

ently under consideration by the committee and not to the point of her membership in the Communist Party previous to the application, is that correct?

Mr. ARENS. That is correct, yes, sir.

The CHAIRMAN. Very well.

Mr. BOUDIN. Could I ask a question, Mr. Arens?

Mr. ARENS. Now, Counsel, you know your sole and exclusive prerogative is to advise your client.

Mr. BOUDIN. This will help me to advise my client.

Mr. ARENS. I display to you, if you please, a photostatic reproduction of a passport application and ask you if this is a true and correct reproduction of a passport application filed by yourself with the Department of State in July of 1958.

(Document handed.)

Mr. BOUDIN. Have you asked the question, please? Could it be repeated?

Mr. ARENS. Just identify it.

Mr. BOUDIN. Read the particular question, please.

(The record was read by the reporter as requested.)

Mrs. FRIEDMAN. I decline to answer for the reasons already given.

(Document marked "Friedman Exhibit No. 1," and retained in committee files.)

Mr. BOUDIN. I assume it is not necessary to repeat the reasons, Mr. Arens.

The CHAIRMAN. Do not repeat the reasons. Just say for the reasons heretofore given. We know exactly what you mean.

Mr. ARENS. Had you ever traveled abroad prior to the time of the application for this passport?

Mrs. FRIEDMAN. I decline to answer for the reasons already given.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that prior to the issuance of this particular passport you were in Guatemala in 1954 for the purpose of carrying on Communist Party activities in that country. If that is not true, please deny it while you are under oath.

Mrs. FRIEDMAN. I decline to answer for reasons already given.

Mr. ARENS. Was a passport issued to you last year, in 1958, pursuant to the application which I have displayed to you?

Mrs. FRIEDMAN. I decline to answer for reasons already given.

Mr. ARENS. Have you ever traveled abroad?

Mrs. FRIEDMAN. I decline to answer, sir, for reasons already given.

Mr. ARENS. Have you ever received a United States passport at any time?

Mrs. FRIEDMAN. I decline to answer that question.

Mr. ARENS. Are you now, this instant, a member of the Communist Party?

Mrs. FRIEDMAN. I decline to answer that question, sir.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

The CHAIRMAN. Did you ever complain to the State Department because of the delay in issuing the passport?

Mrs. FRIEDMAN. I decline to answer the questions, sir.

Mr. ARENS. I display to you now, if you please, a photostatic reproduction of a letter dated August 18, 1958, bearing a signature Dorothy Friedman, addressed to the director of the Passport Office,

Department of State, and ask you if that is a true and correct reproduction of a letter signed by yourself and sent to the director of the Passport Office.

(Document handed.)

(The Witness conferred with her counsel.)

Mrs. FRIEDMAN. I decline to answer.

Mr. JACKSON. Mr. Chairman, I ask that the letter be incorporated in the record.

The CHAIRMAN. Yes. Let it be made a part of our records.

(Document marked "Friedman Exhibit No. 2," and retained in the committee files.)

Any question, Mr. Doyle?

Mr. DOYLE. I have no questions. But I am under the impression that may be a case where an American citizen is going to South America, to-wit, Guatemala, as a Communist to stir up Communist Party line in Guatemala or other foreign countries—

The CHAIRMAN. That would not be an exception. That is the case.

Mr. DOYLE. It is a dirty shame if it is true.

The CHAIRMAN. Any questions, Governor?

Mr. TUCK. I have none.

The CHAIRMAN. Mr. Jackson.

Mr. JACKSON. Mr. Counsel, does the evidence in the possession of the committee indicate that travel was accomplished to Guatemala?

Mr. ARENS. Yes. Prior to the present application it is the information of this committee staff from confidential sources, and I already confronted the witness with this allegation, that in 1954 she was in Guatemala in conferences there with known international agents of the Communist conspiracy. The 1958 application, however, called for travel in England, France, Switzerland or countries of Europe.

Mr. JACKSON. Thank you.

The CHAIRMAN. Any questions, Mr. Johansen?

Mr. JOHANSEN. Mr. Counsel, did the visit to Guatemala involve an application for a passport?

Mr. ARENS. No, sir. Under the international travel regulations a passport for an American citizen is not necessary in that instance.

The CHAIRMAN. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Fred P. Muller.

The CHAIRMAN. Mr. Muller, will you raise your right hand?

Do you swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God.

Mr. MULLER. I do.

TESTIMONY OF FRED PAUL MULLER, ACCOMPANIED BY COUNSEL,
Fred P. Muller **LEONARD B. BOUDIN**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

(The witness conferred with his counsel.)

Mr. MULLER. Fred Paul Muller, 22 Hudson Place, Hoboken, New Jersey.

Mr. ARENS. Would it be convenient for you to raise your voice? I doubt if a single member heard your response.

May we start over again?

Would you kindly give us your name, residence, and occupation?

Mr. MULLER. Fred P. Muller, 22 Hudson Place, Hoboken, New Jersey.

Mr. ARENS. Could you get the microphone closer to you?

Mr. MULLER. All right.

Mr. ARENS. Mr. Muller, you are appearing today in response to a subpoena which was served upon you by this committee?

Mr. MULLER. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. MULLER. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. BOUDIN. Leonard B. Boudin, 25 Broad Street, New York 4, New York.

Mr. ARENS. Where and when were you born, Mr. Muller?

Mr. MULLER. I decline to answer this and similar, related questions.

Mr. ARENS. You are reading from a prepared statement now?

Mr. MULLER. Yes, sir. First, the committee's lack of jurisdiction over the passports of the right to travel. Second, constitutional protection given by the Constitution and the courts of this right.

Third, the lack of pertinency of the question. Fourth, my constitutional rights under the first, fifth, ninth and tenth amendments to the Constitution, and my constitutional privilege under the fifth amendment.

Mr. ARENS. Are you a citizen of the United States?

Mr. MULLER. I decline to answer that question for the reasons given, sir.

The CHAIRMAN. Wait a minute. What was that question?

Mr. ARENS. I asked him if he was a citizen of the United States and he declined to answer and invoked all the reasons he is reading from this prepared statement.

The CHAIRMAN. You are directed to answer that question.

Mr. MULLER. I decline to answer for the reasons previously given and also because of the vagueness of the resolution establishing the committee and the vagueness of the subpoena served upon me. Thus my rights—

The CHAIRMAN. May I interrupt you at that point? You say the subpoena was vague. You are here. You came pursuant to the subpoena. It could not have been vague.

Mr. BOUDIN. Could I explain that, Mr. Chairman?

The CHAIRMAN. No. The record speaks for itself. He says the subpoena was vague, but here he is. So all right.

Go ahead.

Mr. ARENS. Mr. Muller, I display to you a photostatic reproduction of a passport application filed with the Department of State, August 11, 1950, signed "Fred P. Muller." According to this document the applicant desires to travel to France, Switzerland, Scandinavia, (possibly Western Germany); and purpose, as a tourist, possibly to study. Kindly look at this passport application which I have just displayed to you and tell this committee whether or not that is a true and correct reproduction of an application filed by yourself.

(Document handed.)

Mr. MULLER. I decline to answer this question for the reasons already given.

Mr. ARENS. According to this passport application, the applicant states that he was born in Hamburg, Free City, of Germany, on September 9, 1912. Were you born in Hamburg, Germany, on September 9, 1912?

Mr. MULLER. I decline to answer this question for the reason already given.

Mr. ARENS. It further says his mother's name is Emmy Muller. Was your mother's name Emmy Muller?

Mr. MULLER. I decline to answer this question for the reasons given.

Mr. ARENS. It says height is five feet, nine. Is your height approximately five feet, nine?

Mr. MULLER. I decline to answer this question for the reasons given.

Mr. ARENS. It says eyes are blue. Are your eyes blue?

Mr. MULLER. I decline to answer the question for the reasons already given.

Mr. ARENS. And it says hair is light brown. Is your hair light brown?

Mr. MULLER. I decline to answer this question for the reasons already given.

Mr. ARENS. I display to you, sir, a photostatic reproduction of an application for a renewal of a passport which was filed in Vienna, Austria, with the American Vice Consul under date of May 11, 1951. Kindly look at this document and tell this committee whether or not this signature, "Fred P. Muller," appearing on line designated "signature of applicant" is the signature of yourself, filed by yourself with the American consul in Vienna, Austria.

(Document handed.)

(The witness conferred with his counsel.)

The CHAIRMAN. Mr. Muller, excuse me. Will you answer the question?

Mr. MULLER. I decline to answer this question for the reasons already given.

(Document marked "Muller Exhibit No. 1," and retained in committee files.)

The CHAIRMAN. The application for a passport that Mr. Arens was referring to a moment ago contained a picture. Is this a picture of you?

Mr. ARENS. At the chairman's direction, I am displaying to you now the photostatic reproduction of the photograph appearing on the above application which I previously showed you which was filed with the Department of State August, 1950, and signed by Fred P. Muller. Kindly tell this committee while you are under oath whether that photograph you are now examining is a true and correct reproduction of a photograph of yourself.

(The witness conferred with his counsel.)

Mr. MULLER. I decline to answer this question for the reasons already given.

(Document marked "Muller Exhibit No. 2," and retained in committee files.)

Mr. ARENS. I display to you, sir, if you please, a photostatic reproduction of an application for a renewal of a passport secured in August 1950 in which the applicant states he wants to go to Latin America as a tourist. And it is signed Fred P. Muller. On the document it appears that the renewal fee was received and a renewal granted.

Kindly look at this document and tell this committee whether or not that is a true and correct reproduction of a passport renewal application filed by yourself with the Department of State.

(Document handed.)

(The witness conferred with his counsel.)

(Mr. Johansen left the room.)

Mr. MULLER. I decline to answer for the reasons already given.

(Document marked "Muller Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Was a passport renewal granted to you pursuant to this application?

Mr. MULLER. I decline to answer for the reasons already given.

Mr. ARENS. Did you travel to Latin America on a passport, a United States passport?

Mr. MULLER. I decline to answer for the reasons already given.

Mr. ARENS. I display to you, if you please, sir, a photostatic reproduction of another passport application filed on September 17, 1954, with the Department of State by Fred P. Muller who asserts that he wants to travel to Venezuela, Colombia, Brazil, and Chile on a pleasure trip. It also bears a photograph and is signed Fred P. Muller. Kindly look at this document and tell this committee whether or not this is a true and correct reproduction of the passport application filed by you with the Department of State on that date.

(Document handed.)

(The witness conferred with his counsel.)

Mr. MULLER. I decline to answer this question for the reasons already given.

(Document marked "Muller Exhibit No. 4," and retained in committee files.)

Mr. ARENS. Did the State Department issue a new passport pursuant to this application?

Mr. MULLER. I decline to answer for the reasons already given.

Mr. ARENS. Did you travel to Brazil, Chile, Colombia and Venezuela, pursuant to a passport issued to you by the Department of State in response to this solicitation of the passport application?

Mr. MULLER. I decline to answer for the reasons already given.

Mr. ARENS. I display to you still another photostatic reproduction of an application for renewal of passport, in which the applicant states he wants to go to Italy, Austria, Belgium and France, and Germany, and the objectives or purposes are pleasure trips, and visiting relatives. This document is filed in September 1956. Kindly look at this document, if you please, while I display it to you and tell this committee whether or not it is a true and correct reproduction of a document filed by you with the Department of State.

(Document handed.)

(The witness conferred with his counsel.)

Mr. MULLER. I decline to answer this question for the reason already given.

(Document marked "Muller Exhibit No. 5," and retained in committee files.)

Mr. ARENS. Did you travel pursuant to a passport issued to you in response to this application which I have just displayed to you?

Mr. MULLER. I decline to answer for the reasons already given.

Mr. ARENS. What is your occupation?

Mr. MULLER. I decline to answer for the reasons given.

Mr. ARENS. I display to you, if you please, a passport application filed by you in July 1958, bearing a stamp that a passport was issued August 29, 1958 in which the applicant states he wants to go as a tourist to Colombia, Venezuela, Brazil, Uruguay, Argentina, and Chile; the applicant affixed his signature, according to notation, paid the fee and was issued a passport.

Kindly look at this document while I display it to you and tell this committee whether or not this is a true and correct reproduction of a passport application filed by yourself with the Department of State in 1958.

(Document handed.)

(The witness conferred with his counsel.)

Mr. MULLER. I decline to answer the question for the reasons already given.

(Document marked "Muller Exhibit No. 6," and retained in committee files.)

Mr. ARENS. Do you know a person by the name of Sharon Godsy, S-h-a-r-o-n G-o-d-s-y?

Mr. MULLER. I decline to answer for the reasons already given.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact, and this is based on confidential information available to the security agents of this Government, that in 1956 you were cited and commended by the international Communist apparatus together with Sharon Godsy for doing "fine international work for the Party." If that is not true, deny it while you are under oath.

Mr. MULLER. I decline to answer that question for the reasons already given.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

The CHAIRMAN. Any questions, Mr. Doyle?

Mr. DOYLE. No.

The CHAIRMAN. Governor Tuck?

Mr. TUCK. I have no questions.

The CHAIRMAN. Mr. Jackson?

Mr. JACKSON. No questions.

The CHAIRMAN. The witness is excused.

Mr. BOUDIN. Thank you, Mr. Chairman.

The CHAIRMAN. Call your next witness.

Mr. ARENS. Bocho Mircheff.

The CHAIRMAN. Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

TESTIMONY OF BOCHO MIRCHEFF, ACCOMPANIED BY COUNSEL,
JOSEPH FORER. *Washington, D.C.*

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mr. MIRCHEFF. My name is Bocho Mircheff. I live at 17375 Orleans, Detroit, Michigan.

Mr. ARENS. And your occupation?

Mr. MIRCHEFF. I decline to answer the question, the following reasons: First, I think that this committee is calling me only to harass me. You have no right to do that. You already called me once in Chicago.

Second, I think that this committee is unconstitutional.

And third, I claim my privilege under the fifth amendment of the Constitution not be witness against myself.

Mr. ARENS. Do you honestly apprehend, sir, if you told this committee while you are under oath what your occupation is you would be supplying information that might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. It is possible.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by this committee?

Mr. MIRCHEFF. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. MIRCHEFF. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. FORER. Joseph Forer, 711 14th Street NW., Washington, D.C.

Mr. ARENS. Mr. Chairman, I think I might announce for the record that we are taking this witness at this time in order to accommodate him because we have been advised, by his counsel, he plans on leaving the country tomorrow on a passport.

The CHAIRMAN. With a passport?

Mr. ARENS. Yes, sir.

The CHAIRMAN. All right.

Mr. ARENS. Now, Mr. Mircheff, when and where were you born?

Mr. MIRCHEFF. I was born in Bulgaria.

Mr. ARENS. When?

Mr. MIRCHEFF. 1898.

Mr. ARENS. And when did you come to the United States for permanent residence?

Mr. MIRCHEFF. 1918.

Mr. ARENS. Are you a citizen of the United States?

Mr. MIRCHEFF. I am.

Mr. ARENS. Are you a naturalized citizen?

Mr. MIRCHEFF. Yes.

Mr. ARENS. Where and when were you naturalized?

Mr. MIRCHEFF. Detroit, 1938.

Mr. ARENS. Please give us the principal occupations you have had since you arrived in the United States.

Mr. MIRCHEFF. I decline to answer this question for the reasons already given.

Mr. ARENS. Is there any occupation in which you have been engaged since you arrived in the United States concerning which you can tell this committee without disclosing information which might be used against you in a criminal proceeding?

Mr. MIRCHEFF. I decline to answer for the same reasons already given.

Mr. ARENS. Have you traveled abroad since your arrival in the United States?

Mr. MIRCHEFF. I have.

Mr. ARENS. And when did you travel abroad, just the years, please?

Mr. MIRCHEFF. 1946.

Mr. ARENS. I display to you, if you please, sir, a photostatic reproduction of a passport application filed in 1946 by a person who identifies himself as Bocho Mircheff, of whom a photograph appears, with the Department of State for the purpose of going to Yugoslavia. I ask you to kindly examine this document and tell this committee whether or not this is a true and correct reproduction of the passport application filed by you.

(Document handed.)

(The witness conferred with his counsel.)

Mr. MIRCHEFF. I refuse to answer for the same reasons given.

(Document marked "Mircheff Exhibit No. 1," and retained in committee files.)

Mr. ARENS. Now, according to this passport application you were going to go, so you told the State Department, to attend the All-Slav Congress in Belgrade as a delegate. Did you attend the All-Slav Congress in Belgrade as a delegate?

Mr. MIRCHEFF. I refuse to answer, the same reasons given before.

Mr. ARENS. Was a passport issued to you in 1946 pursuant to this application?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. Refuse to answer, same reasons given before.

Mr. ARENS. Did you in 1946 travel abroad?

Mr. MIRCHEFF. Yes, I have.

Mr. ARENS. Where did you go?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. I visited Yugoslavia and Bulgaria.

Mr. ARENS. And who paid your expenses?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. I refuse to answer for the reasons given before.

Mr. ARENS. I display to you a photostatic reproduction of a certification by the president and secretary of the Bulgarian-American People's League, Detroit, Mich., certifying that Mr. Bocho Mircheff is an elected delegate to the All-Slav Congress in Belgrade, Yugoslavia, to represent the Bulgarian-American People's League.

Kindly look at this document and tell this committee whether or not that is a true and correct reproduction of the official certification that you were a delegate to the All-Slav Congress in Belgrade, representing the Bulgarian-American People's League.

(Document handed.)

(The witness conferred with his counsel.)

Mr. MIRCHEFF. I refuse to answer for the reasons already given.

(Document marked "Mircheff Exhibit No. 2," and retained in committee files.)

Mr. ARENS. While you were in Bulgaria were you decorated in 1946 by the Bulgarian People's Government?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. I refuse to answer for the reasons already given.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that while you were in Bulgaria in 1946 you were decorated officially by the People's Republic of Bulgaria for work as a publicist in the United States for the cause of the "New" Bulgaria. If that is not true, please deny it while you are under oath.

Mr. MIRCHEFF. I refuse to answer for the reasons already given.

Mr. ARENS. Do you presently have any trade or commercial connections with the Bulgarian government?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. No.

Mr. JACKSON. Have you had any trade or commercial relationships with the Bulgarian government at any time?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. I refuse to answer for the reasons given before.

Mr. ARENS. Excuse me. Are you through?

What is Narodna Volya?

Mr. MIRCHEFF. I refuse to answer for the same reasons.

Mr. ARENS. Narodna Volya is a foreign language Communist controlled publication, is it not?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. Not as far as I know.

Mr. ARENS. Are you the business manager of the Narodna Volya?

Mr. MIRCHEFF. I refuse to answer for the reasons given before.

Mr. ARENS. I display to you now, please, sir, the masthead statement of the ownership, management and the like of Narodna Volya in 1948, required by our postal laws, listing the business manager Bocho Mircheff, 5233 Russell Street, Detroit, Michigan.

Kindly look at this document as I display it to you and tell this committee whether or not that is a true and correct reproduction of your title at that time.

(Document handed.)

(The witness conferred with his counsel.)

Mr. MIRCHEFF. I refuse to answer for the same reasons given before.

(Document marked "Mircheff Exhibit No. 3," and retained in committee files.)

Mr. ARENS. I display to you, if you please, a copy of a leaflet issued in June 1954, by the Bulgarian-American Committee for Protection of Foreign Born entitled "Mircheff Tells Them Off." The leaflet issued by this organization describes Bocho Mircheff, as business manager of Narodna Volya and what he did to tell off the Immigration and Naturalization Service some few years ago.

Kindly look at this document, first of all and tell this committee whether or not you are the Bocho Mircheff described in the document who told off the Immigration and Naturalization Service.

Mr. MIRCHEFF. Refuse to answer for the same reasons.

(Document marked "Mircheff Exhibit No. 4," and retained in committee files.)

Mr. ARENS. Have you ever been the subject of a denaturalization proceeding or a deportation proceeding?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. No, sir.

Mr. ARENS. Have you been on the executive board of The Slavic American, a quarterly?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. Refuse to answer for the same reasons given.

Mr. ARENS. I display to you now a photostatic reproduction of the advertisement of best wishes and success to The Slavic American from the National Committee, Bulgarian-American People's League, which designates Bocho Mircheff as one of five members of its executive board. Kindly look at this document and tell this committee whether or not that is a true and correct designation of yourself.

(Document handed.)

(The witness conferred with his counsel.)

Mr. MIRCHEFF. Refuse to answer, the same grounds, same reasons.

(Document marked "Mircheff Exhibit No. 5," and retained in committee files.)

Mr. ARENS. Sir, did you in June 1958, file an application with the Department of State for a United States passport to travel abroad?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. Yes, sir, I did.

Mr. ARENS. I display to you a photostatic reproduction of a passport application filed with the Department of State signed by Bocho Mircheff in which the applicant is requesting a passport for the purpose of visiting Brussels, Belgium, Switzerland, and Denmark. I ask you if this is a true and correct reproduction of the passport application filed by you with the Department of State.

(Document handed.)

(The witness conferred with his counsel.)

(Representative Johansen returned to the room.)

Mr. ARENS. This is the application, reproduction of the application?

Mr. MIRCHEFF. Yes, this is the application.

(Document marked "Mircheff Exhibit No. 6," and retained in committee files.)

Mr. ARENS. In this application three questions appear which are unanswered. (1) Are you now a member of the Communist Party? (2) Have you ever been a member of the Communist Party? (3) If ever a member state the period of membership. You did not answer the questions.

Mr. MIRCHEFF. According to the decision of the Supreme Court I was not supposed to answer this question.

Mr. ARENS. As of the instant you affixed your signature to this application for a United States passport to travel abroad were you a member of the Communist Party?

Mr. MIRCHEFF. Refuse to answer this question on the same ground, same reason.

Mr. ARENS. Are you now, this instant, a member of the Communist Party?

Mr. MIRCHEFF. I refuse to answer this question for the same reason given.

Mr. ARENS. When does your boat depart from the United States?

Mr. MIRCHEFF. I beg pardon?

Mr. ARENS. When does your boat, your vessel, depart from the United States?

Mr. MIRCHEFF. Now? This year?

Mr. ARENS. Yes, when are you planning on getting on the boat to leave?

Mr. MIRCHEFF. April 9.

Mr. ARENS. That has already passed.

Mr. MIRCHEFF. Well, thanks to the intervening of the committee here.

Mr. ARENS. When is your new arrangement to leave?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. Tomorrow, yes.

Mr. ARENS. You leave tomorrow?

Mr. MIRCHEFF. Yes.

Mr. ARENS. On what vessel do you depart?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. I am going by plane, by air.

Mr. ARENS. Where are you going, please?

Mr. MIRCHEFF. I am going to Bulgaria this time.

(Representative Jackson left the hearing room.)

Mr. ARENS. Who is going to pay your expenses?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. I refuse to answer this question for the same reasons.

Mr. ARENS. Will your expenses be paid by persons known by you to be members of the Communist Party?

Mr. MIRCHEFF. Refuse to answer, the same reasons.

Mr. ARENS. Is your mission abroad a mission under the direction of the Communist Party?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. No.

Mr. ARENS. Do you expect to engage in Communist Party activities in Bulgaria?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. No, sir.

Mr. ARENS. I have already asked you, have I not, are you now, this instant, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. MIRCHEFF. I already answered this question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. I have no questions.

Mr. TUCK. No questions.

Mr. JOHANSEN. No questions.

The CHAIRMAN. I suppose you were here when Mr. Boudin requested, and his request was granted, that two witnesses be excused for various reasons. You have tried to create the impression that you missed your ship because you were subpoenaed to appear before this committee. Did you request a continuance?

Mr. MIRCHEFF. Did I request what?

The CHAIRMAN. A postponement.

Mr. MIRCHEFF. Yes, I did.

The CHAIRMAN. What happened?

Mr. ARENS. He requested that his appearance here be postponed until he got back.

Mr. FORER. Or moved up.

Mr. ARENS. Or moved up. Of course the committee could not move it up because the date of the hearings had been set.

(Witness excused.)

The CHAIRMAN. Call your next witness, Mr. Arens.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Leonore Haimowitz.

The CHAIRMAN. Will you raise your right hand, please?

Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAIMOWITZ. I have a question to ask.

Mr. ARENS. Beg pardon?

Mr. HAIMOWITZ. I have a question to ask the committee first.

Mr. ARENS. Would you raise your voice a little. I cannot hear you.

Mr. HAIMOWITZ. I say we have a question to ask the committee first.

Mr. ARENS. Yes, sir.

Mr. HAIMOWITZ. We don't have counsel. I am Mr. Haimowitz, husband of Mrs. Haimowitz, and I would like to represent her.

The CHAIRMAN. Sit down, Mr. Haimowitz. Sit down, if your wife needs help.

TESTIMONY OF LEONORE HAIMOWITZ, ACCOMPANIED BY HER HUSBAND, ELY HAIMOWITZ

Mr. ARENS. Kindly identify yourself by name, residence, and occupation. B. Plainfield, N.J.

(The witness conferred with her husband.)

Mrs. HAIMOWITZ. Leonore Haimowitz, 535 West Eighth Street, Plainfield, New Jersey, secretary. N.J.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. HAIMOWITZ. Correct.

Mr. ARENS. And I understand from what the gentleman appearing with you said that he is your husband?

You are a lawyer, sir?

Mr. HAIMOWITZ. No, sir, I am not. I am a concert pianist.

Mr. ARENS. Ma'am, you understand you have the privilege, and have had the privilege right along, if you desire, to be represented by counsel in this proceeding?

Mrs. HAIMOWITZ. Yes.

Mr. ARENS. Would your husband care to identify himself on the record so as to reflect his presence?

Mr. HAIMOWITZ. I am Ely Haimowitz, her husband.

Mr. ARENS. Would you spell that for the reporter?

Mr. HAIMOWITZ. E-l-y H-a-i-m-o-w-i-t-z.

Mr. ARENS. Mrs. Haimowitz, have you ever used any name other than the name Leonore Haimowitz?

Mrs. HAIMOWITZ. Yes.

Mr. ARENS. What other name have you used?

Mrs. HAIMOWITZ. Leonore Kantor, my maiden name, K-a-n-t-o-r.

Mr. ARENS. Have you ever been issued a United States passport?

(The witness conferred with her husband.)

Mrs. HAIMOWITZ. I decline to answer that question because of the privilege of the Bill of Rights, fifth amendment.

Mr. ARENS. Where were you born?

Mrs. HAIMOWITZ. Plainfield, New Jersey.

Mr. ARENS. Give us a word, please, about your formal education.

Mrs. HAIMOWITZ. Plainfield High School, '38; New York University, '42.

Mr. ARENS. What was the nature of the degree you received from New York University? What type of training did you receive there?

Mrs. HAIMOWITZ. B.A.

Mr. ARENS. Then give us, if you please, just the principal occupations you had after you completed your formal education at New York University.

(The witness conferred with her husband.)

Mrs. HAIMOWITZ. Are you referring to how I used my formal education?

Mr. ARENS. I am just asking you what your jobs were, the principal employment you had.

Mrs. HAIMOWITZ. Yes. I worked as a lab technician in local laboratory.

Mr. ARENS. How long did that employment last, please?

Mrs. HAIMOWITZ. Well, there were different labs over a period of 3 years.

Mr. ARENS. Then your next general employment, please.

Mrs. HAIMOWITZ. Then I worked for my father, starting in 19—

Mr. ARENS. Just the approximate time.

Mrs. HAIMOWITZ. From '46 on.

Mr. ARENS. Have you ever traveled abroad?

(The witness conferred with her husband.)

The CHAIRMAN. Under the rules of the committee, witnesses are entitled to counsel for the purpose of advising them when their constitutional rights may or may not be affected. That rule, of course, is not broad enough to extend to a husband prompting his wife and quite obviously telling her what to say. We are going to have to enforce the rule with respect to advice by counsel.

Go ahead, Mr. Arens.

Mr. ARENS. Yes, sir. There is a question outstanding, Mr. Chairman. Have you ever traveled abroad?

Mrs. HAIMOWITZ. I decline to answer.

Mr. ARENS. Have you ever been to Mexico?

Mrs. HAIMOWITZ. I decline to answer on reasons previously given.

The CHAIRMAN. When you decline to answer I assume that you are declining on the basis of the fifth amendment to the Constitution.

Mrs. HAIMOWITZ. That is correct.

The CHAIRMAN. All right.

Mr. ARENS. I would like to display to you now, please, a photostatic reproduction of a passport application filed with the Department of State, according to the application, by Leonore Kantor, who requests a United States passport in 1949 to go to France, Switzerland, Italy, Israel for sightseeing and pleasure.

Kindly look at that document and tell this committee whether or not that is a true and correct reproduction of the passport application filed by yourself with the Department of State.

(Document handed.)

(The witness conferred with her husband.)

Mrs. HAIMOWITZ. I decline to answer for the reasons already given.

(Document marked "Haimowitz Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Was a passport issued to you in 1949?

Mrs. HAIMOWITZ. I decline to answer for the reasons already given.

Mr. ARENS. Excuse me just a moment. I put it to you as a fact, and ask you to affirm or deny the fact, that in 1954 you, as a then member of the Communist Party, were in consultation in Mexico with a lady by the name of Evelyn Clifton, who is likewise a member of the Communist Party residing in Mexico. If that is not a fact, please deny it while you are under oath.

Mrs. HAIMOWITZ. I refuse to answer for the reasons already given.

Mr. ARENS. Do you know a man by the name of Mario Padilla, M-a-r-i-o P-a-d-i-l-l-a?

Mrs. HAIMOWITZ. I refuse to answer for the reasons already given.

Mr. ARENS. He is head of the Mexican-Russian Cultural Institute, is he not?

Mrs. HAIMOWITZ. I refuse to answer for reasons already given.

Mr. ARENS. Were you in conference in Mexico with Mario Padilla?

Mrs. HAIMOWITZ. I refuse to answer for reasons already given.

Mr. ARENS. I put it to you as a fact that you were in 1954 in conference in Mexico with Mario Padilla. Would you kindly affirm or deny it while you are under oath?

Mrs. HAIMOWITZ. I refuse to answer for the reasons already given.

Mr. ARENS. Who is Walter I-l-l-s-l-e-y?

Mrs. HAIMOWITZ. I refuse to answer for the reasons already given.

Mr. ARENS. Walter Illsley is the representative of the Red Chinese Government in certain activities in Mexico, is he not?

Mrs. HAIMOWITZ. I refuse to answer for the reasons already given.

Mr. ARENS. Do you know Walter Illsley?

Mrs. HAIMOWITZ. I refuse to answer to the reasons already given.

Mr. ARENS. I put it to you as a fact that you were in session with Walter Illsley in Mexico in 1954. Kindly affirm or deny that allegation.

Mrs. HAIMOWITZ. I refuse to answer for the reasons already given.

Mr. ARENS. Were you in 1948 one of the leaders of the Labor Youth League in New Jersey?

Mrs. HAIMOWITZ. I refuse to answer for the reasons already given.

Mr. ARENS. Are you now, this instant, a member of the Communist Party?

Mrs. HAIMOWITZ. I decline to answer for the reasons stated.

Mr. ARENS. I display to you now a passport application filed with the Department of State in July 1958, in which the applicant states that she wishes to go to Spain, England, France, Italy, Holland, Belgium, West Germany, Switzerland, and Austria and to which the applicant affixes her signature, "Leonore Haimowitz," and identifies herself as a resident of Plainfield, New Jersey.

Kindly look at this reproduction of the application and tell this committee whether or not this is a true and correct reproduction of an

application filed by yourself with the Department of State for a U.S. passport in 1958.

(Document handed.)

(The witness conferred with her husband.)

Mrs. HAIMOWITZ. I decline to answer the question for reasons already given.

(Document marked "Haimowitz Exhibit No. 2" and retained in committee files.)

Mr. ARENS. Now, I put it to you as a fact that a few years prior to the time that you solicited your passport from the U.S. Government to travel abroad in 1958, you were in Puerto Rico working with the Puerto Rico Communist Party in its reorganizational activities. If that is not true, please deny it while you are under oath.

Mrs. HAIMOWITZ. I decline answering for reasons already expressed.

Mr. ARENS. Have you ever been to Puerto Rico?

Mrs. HAIMOWITZ. I decline answering for the reasons already expressed.

Mr. ARENS. Was a passport issued pursuant to the application which I have just displayed to you?

Mrs. HAIMOWITZ. I decline to answer for the reasons already explained.

Mr. ARENS. Do you have presently in your custody a U.S. passport?

Mrs. HAIMOWITZ. I decline to answer.

The CHAIRMAN. Has she a passport in her custody?

Mr. ARENS. Yes, sir. According to the application a passport was issued September 10, 1958.

Have you since the date which I have just mentioned, September 10, 1958, traveled abroad?

Mrs. HAIMOWITZ. I decline to answer.

Mr. ARENS. Do you have present plans or present intentions to travel abroad?

Mrs. HAIMOWITZ. I decline to answer for the reasons already given.

Mrs. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

The CHAIRMAN. Any questions?

Mr. DOYLE. I have no questions, Mr. Chairman, but I could not help but note the readiness and promptness with which the witness has declined to answer every question since the chairman called her husband's attention to the fact that it is contrary to our rules to allow anyone to put words in the witness' mouth.

The CHAIRMAN. This witness did not need any help.

Mr. DOYLE. I think that was very evident, that she did not need it.

The CHAIRMAN. The committee stands in recess until 10 o'clock tomorrow morning.

(Whereupon at 11:45 a.m., Thursday, April 23, the committee recessed to reconvene at 10 a.m., Friday, April 24, 1959.)

PASSPORT SECURITY

FRIDAY, APRIL 24, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.
PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:05 a.m., in the Caucus Room, Old House Office Building, the Honorable Francis E. Walter (committee chairman) presiding.

Subcommittee members: Representatives Francis E. Walter, Pennsylvania; Morgan M. Moulder, Missouri; Clyde Doyle, California; Donald L. Jackson, California; and Gordon H. Scherer, Ohio.

Committee member also present: Representative August E. Johansen, Michigan.

Staff members present: Richard Arens, staff director, and Donald T. Appell, investigator.

The CHAIRMAN. The committee will be in order.

(Members present: Representatives Walter, Doyle, Jackson, and Johansen.)

The CHAIRMAN. Mr. Arens, will you call your first witness?

Mr. ARENS. Mr. Chairman, may I have your indulgence for just a moment to request an order by yourself continuing the subpoena and the appearance pursuant to the subpoena of Mr. Martin Popper, Mr. Victor Berman, and Miss Elizabeth Millard until Friday May 1, at 10 a.m.?

The CHAIRMAN. All right. The subpoenas are ordered to be continued and the witnesses will be notified of the date.

Mr. ARENS. The first witness, if you please, will be Mr. Stanley Nowak.

Kindly come forward.

The CHAIRMAN. Mr. Nowak, will you raise your right hand please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NOWAK. I do.

The CHAIRMAN. Sit down.

TESTIMONY OF STANLEY (STANISLAW) NOWAK, ACCOMPANIED
BY COUNSEL, JOSEPH FORER

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. NOWAK. My name is Stanley Nowak. I live at 2634 Glendale Street, Detroit, Michigan. Journalism is my occupation.

Mr. ARENS. You are appearing today in response to a subpoena that was served upon you by the House Committee on Un-American Activities?

Mr. NOWAK. I do.

Mr. ARENS. You are represented by counsel?

Mr. NOWAK. I am.

Mr. ARENS. Counsel, would you please identify yourself?

Mr. FORER. Gladly. Joseph Forer, 711-14th Street NW., Washington, D.C.

(Representative Jackson left the room.)

Mr. ARENS. Mr. Nowak, where are you employed?

Mr. NOWAK. I have to decline to answer that question and may I state at this moment the reason why I respectfully decline to answer the question?

Mr. DOYLE. Will the witness speak up just a little bit, please?

Mr. NOWAK. Yes. I certainly will.

I said that I have to respectfully decline to answer this question, and I would like to state the reasons why.

First, I consider this to be sort of a persecution on the part of this committee, persecution of myself. This committee has called me twice before. This is my third time in appearing here.

The CHAIRMAN. May I interrupt you there?

We never called you about this passport phase of our inquiry at all. We have never talked to you about that.

(The witness conferred with his counsel.)

The CHAIRMAN. What did you say, Mr. Forer?

Mr. FORER. What?

The CHAIRMAN. I thought you said something.

Mr. FORER. I was just wondering whether that meant the committee would refrain from asking the questions that they asked on the two prior occasions.

The CHAIRMAN. Go ahead, Mr. Nowak.

Mr. NOWAK. Yes. Second reason that I decline to answer the question is because I consider that this committee is violating the first amendment by questioning people on their political opinions, and like myself, a newspaper man, I have a right to speak and write and I don't think it is the prerogative of this committee to constantly question me about it.

The CHAIRMAN. By political opinions, you mean membership in the Communist Party?

Mr. NOWAK. No. I mean political opinions in a general, broad sense. This is understood.

Further, I also want to claim at this time the privilege of the fifth amendment.

These are the basic reasons why I respectfully decline to answer this question.

Mr. ARENS. Mr. Chairman, it is not, of course, the objective of the staff to interrogate Mr. Nowak with respect to matters on which he has been heretofore interrogated.

I just want to ask you, Mr. Nowak, are you a citizen of the United States?

Mr. NOWAK. I am.

Mr. ARENS. Are you a citizen by naturalization?

Mr. NOWAK. By naturalization.

Mr. ARENS. Tell us first of all where you were born?

Mr. NOWAK. I was born in Poland in 1903.

Mr. ARENS. When did you come to the United States for permanent residence?

Mr. NOWAK. In 1915.

Mr. ARENS. And where and when were you naturalized?

Mr. NOWAK. In the City of Detroit in 1938.

Mr. ARENS. And were you the subject of a denaturalization proceeding brought by the Immigration and Naturalization Service?

Mr. NOWAK. I was.

Mr. ARENS. And was your case the subject of a pronouncement by the Supreme Court of the United States under date of May 26, 1958?

Mr. NOWAK. That is a matter of public record.

Mr. ARENS. Mr. Chairman, for our record now I should like, if you please, to read a pertinent excerpt from the record, the opinion of the Supreme Court of the United States on May 26, 1958 insofar as it bears upon the issue that is presently before this committee.

This is from the majority opinion in the *United States v. Stanislaw Nowak*.

Mr. FORER. The other way around.

Mr. ARENS. *Nowak v. the United States*. "We believe that the Government has adequately proved that Nowak was a member of the Party"—I say in parenthesis the Communist Party because the preceding sentences talk about the Communist Party—"during the pertinent five-year period."

The CHAIRMAN. You do not mean to tell me the Supreme Court made that finding?

Mr. ARENS. The Supreme Court made that finding, but the Supreme Court then made the finding that as a prerequisite to his denaturalization it must not only be established that Mr. Nowak was a member of the Communist Party, but that the Communist Party advocated the overthrow of the Government of the United States by force and violence and that somehow or other the Government would prove that Mr. Nowak within his own mind knew that the Communist Party advocated the overthrow of the Government of the United States by force and violence.

The CHAIRMAN. Of course, what the basic law provided as ground for denaturalization and exclusion and deportation was membership in the Communist Party.

Mr. ARENS. Yes, sir.

Mr. NOWAK. Mr. Chairman—

Mr. FORER. This is denaturalization, not a deportation case. No statute says denaturalization of somebody for membership in the Communist Party.

The CHAIRMAN. Yes.

Mr. ARENS. Now, Mr. Nowak, after the decision of the Supreme Court on May 26, 1958 in which the Court made the announcement that the Government had, to its satisfaction, proved that you had been a member of the Communist Party, did you make application for a United States passport?

Mr. NOWAK. Yes, I did.

Mr. ARENS. I display to you now, if you please, sir, a photostatic reproduction of a passport application signed by Stanislaw Nowak and ask you if this is a true and correct reproduction of the passport application filed by yourself.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWAK. Yes, I think this seems to be an accurate reproduction of the application.

Mr. ARENS. And the date of this application was in July of 1958, was it not?

Mr. NOWAK. I believe so.

(Document marked "Nowak Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Was the application which you submitted accompanied by a letter from the publisher of Glos Ludowy, People's Voice, the Polish weekly of Detroit?

(The witness conferred with his counsel.)

Mr. NOWAK. I decline to—respectfully decline to answer the question on the same grounds that I stated here before.

Mr. ARENS. I display to you now a photostatic reproduction of a letter dated July 22, 1958 addressed to the director of the passport office from the publisher of Glos Ludowy in which the publisher states that Glos Ludowy is sponsoring your trip to Poland for the purpose of reporting on events there. Kindly look at that letter and tell us whether or not to your certain knowledge the facts recited in that letter are true and correct.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. NOWAK. Mr. Chairman, I decline to answer the question. I will state the reasons why I decline to answer the questions because I don't think it is the prerogative of this committee to investigate me as a journalist or whatever.

(Document marked "Nowak Exhibit No. 2" and retained in committee files.)

The CHAIRMAN. We are not investigating you as a journalist or anything else. We are investigating the question of whether or not our passport laws ought to be changed or there ought to be legislation.

Mr. NOWAK. Are you asking me whether my trip to Poland was sponsored by Glos Ludowy—the relationship between the passport and legislation?

The CHAIRMAN. You are directed to answer the question, who sponsored your trip?

Mr. NOWAK. Pardon me.

The CHAIRMAN. You are directed to answer the question.

Mr. NOWAK. Well, I stated before that I respectfully decline to answer the question on the grounds I stated at the opening here.

The CHAIRMAN. Do you honestly believe that if you answered the question as to who sponsored your trip you might be subjected to a criminal prosecution?

(The witness conferred with his counsel.)

Mr. NOWAK. That is possible.

Mr. ARENS. Now, Mr. Nowak—

Mr. FORER. Just a minute.

(The witness conferred with his counsel.)

Mr. NOWAK. Yes.

Mr. ARENS. Mr. Nowak, in the application form which you have identified are three questions: "Are you now a member of the Communist Party? Have you ever been a member of the Communist Party? If ever a member, state period of membership." You will observe that in the application form which you submitted to the Department of State those three questions are not answered.

Mr. NOWAK. That is right.

Mr. ARENS. Were you at the instant that you affixed your signature to the application form a member of the Communist Party?

Mr. NOWAK. I decline to answer the question on the grounds that I stated before.

Mr. ARENS. Why did you not fill out the three questions, answer the three questions which were posed in the application form?

Mr. NOWAK. Because it was not necessary according to the decision of the Supreme Court.

The CHAIRMAN. That is interesting to note, how everybody jumped on that decision as a reason for not answering questions. Very interesting to me.

Mr. ARENS. Now, sir, was a passport issued pursuant to this application?

Mr. NOWAK. It was.

Mr. ARENS. Did you take a trip?

Mr. NOWAK. I did.

Mr. ARENS. On the passport?

Mr. NOWAK. I did.

Mr. ARENS. Where did you go and when?

Mr. NOWAK. I went to Poland.

Mr. ARENS. When, please, sir?

Mr. NOWAK. I think it was in September that I left. I don't recollect the exact date. It was in September, and I was in Poland until the end of December.

Mr. ARENS. Who paid your expenses?

Mr. NOWAK. I decline to answer that question on the grounds that I stated before.

Mr. ARENS. How long were you in Poland?

Mr. NOWAK. About two months.

Mr. ARENS. With whom did you confer when you were in Poland?

Mr. NOWAK. With many people. I traveled through the country. I went into the shops, talked with the workers; I traveled to the farm communities, talked with the farmers. I talked with hundreds of people.

Mr. ARENS. You told us earlier that you were a journalist.

Mr. NOWAK. That is right.

Mr. ARENS. Did you write articles when you were in Poland respecting the people, events, circumstances which you beheld there?

Mr. NOWAK. I did.

Mr. ARENS. And in what publication were those articles printed?

Mr. NOWAK. I decline to answer that question. I don't think it is any business of this committee in what paper my articles are published.

Mr. ARENS. Were those articles published in Poland or were they published in the United States?

Mr. NOWAK. They were published in the United States.

Mr. ARENS. Were they published in the English language or published in the Polish language?

Mr. NOWAK. Published in the Polish language.

Mr. ARENS. Did you consult and confer with members of the Polish Government while you were in Poland?

Mr. NOWAK. First of all, what do you mean by "Polish Government"? Certainly when I spoke to a mayor in the city—I presume you mean that is a member of the government. Or if I talked to a member of a council of some small town or village, I presume you would classify that as a member of the government. In that sense I did.

Mr. ARENS. Who was your host in Poland?

Mr. NOWAK. Nobody.

Mr. ARENS. Or who were your hosts?

Mr. NOWAK. Nobody was my host. I lived in the hotel. I traveled extensively. I talked to many people. I talked to whoever I wanted to talk to in order to acquire information about conditions in the country.

Mr. ARENS. In what section of the United States is the publication issued in which your articles about Poland appeared?

Mr. NOWAK. I see no reason for that question. You probably know it.

The CHAIRMAN. We would like to look at your articles.

Mr. NOWAK. Mr. Chairman, I am quite confident that you have them by now.

The CHAIRMAN. Yes, I suppose we have. If we have not, the FBI has.

Mr. NOWAK. I am sure they do. That is why I see no reason for the question. I am sure you have these articles, probably translated, and you know everything I have written, and I have no apology to make for it either.

Mr. ARENS. Were your articles dispatched by you from Poland to the United States or did you prepare them after you returned?

Mr. NOWAK. Some of them were from Poland dispatched by mail and others were written after my return.

Mr. ARENS. Mr. Chairman, I feel we have covered the two or three points that we expected to develop with this witness.

The CHAIRMAN. Any questions?

Mr. DOYLE. No questions.

Mr. JOHANSEN. No questions.

The CHAIRMAN. The witness is excused from further attendance on this subpoena.

Mr. NOWAK. Thank you, Mr. Chairman.

Mr. ARENS. Mr. Arthur David Kahn, please come forward.

The CHAIRMAN. Will you raise your right hand, please, Mr. Kahn? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KAHN. I do, sir.

The CHAIRMAN. Sit down.

TESTIMONY OF ARTHUR DAVID KAHN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. KAHN. I am Arthur David Kahn of 138 Remsen Street, Brooklyn, New York. I respectfully decline to answer the third question on the basis of the fifth amendment.

Mr. ARENS. Mr. Kahn, you are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

The CHAIRMAN. Just a moment. Do you seriously contend that if you did not refuse to answer the question whether or not you are here pursuant to the subpoena, you might be prosecuted criminally?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment, sir.

Mr. ARENS. You are not represented by counsel?

Mr. KAHN. I respectfully decline to answer.

Mr. ARENS. You know, of course, you have the privilege of counsel, if you desire counsel.

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. Mr. Kahn, where and when were you born?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. Do you honestly apprehend, sir, if you told this committee while you are under oath where and when you were born you would be supplying information which might be used against you in a criminal proceeding?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

The CHAIRMAN. You are directed to answer the question, Mr. Kahn.

Mr. KAHN. I respectfully decline to answer the question on the basis of the fifth amendment.

Mr. ARENS. Mr. Kahn, how long have you been employed at your present place of employment?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. Have you ever been employed by the U.S. Government?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that during the last great war you were in an intelligence agency of the Government of the United States, you were in OSS. Would you kindly affirm or deny that allegation?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. Mr. Kahn, have you ever traveled abroad?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. I should like to display to you, if you please, sir, photostatic copies of certain documents. First is an application for a pass-

port dated May 1, 1944, signed by Arthur D. Kahn who gives his occupation as an employee of the U.S. Government and who accompanies this application with his photograph, and who states that he wants to go to the British Isles. Kindly examine that document which I have just displayed to you and tell this committee whether or not that is a true and correct reproduction of a document filed by yourself with the Department of State.

(Document was handed to the witness.)

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

(Document marked "Kahn Exhibit No. 1" and retained in committee files.)

Mr. JOHANSEN. Mr. Chairman, I think the record should show that the witness did not inspect the document as requested.

The CHAIRMAN. I do not know that that is material. The record is very clear on what he is doing, his attitude.

Mr. ARENS. Now, Mr. Kahn, according to the document which I displayed to you a moment ago, a passport was issued to you by the United States Government on June 13, 1944, is that correct?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. I display to you now a photostatic reproduction of an application by Arthur David Kahn, application for a renewal of this passport filed in Berlin, Germany, on which the document states that the applicant is employed with the Office of Director of Information Control, OMGUS in Berlin. Kindly examine this document as I now display it to you and tell this committee whether or not you filed that application.

(Document was handed to the witness.)

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. This document is dated 1946.

(Document marked "Kahn Exhibit No. 2" and retained in committee files.)

Now, Mr. Kahn, I display to you a photostatic reproduction of a letter sent to you from the Department of State dated January 5, 1951, at which time you were notified by the Department that the then current passport application by yourself was being denied because the United States Department of State felt it would be contrary to the best interests of the United States to grant you the proposed passport.

Kindly look at this document and the application form which I now display to you in which you were seeking a passport to go to England, France, and Belgium for pleasure and tell this committee whether or not these are true and correct reproductions of original documents.

(Documents were handed to the witness.)

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

(Documents marked "Kahn Exhibit No. 3" and retained in committee files.)

Mr. ARENS. According to this application, you were born in South Norwalk, Connecticut on September 21, 1920. Is that the place and date of your birth?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. I direct your attention to still another passport application by yourself, dated in 1952, in which the applicant states that he wants to go to Venezuela, Brazil, Uruguay, Argentina, and Chile for pleasure, and which application is accompanied by a declaration by the Department of State, dated February 8, 1952, that the Department does not feel warranted in providing you with a passport for the proposed travel.

Kindly look at these documents that I am now displaying to you and tell this committee whether or not they are true and correct reproductions of the application filed by yourself and the declaration received by you on the matter of passport application.

(Documents were handed to the witness.)

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

(Documents marked "Kahn Exhibit No. 4" and retained in committee files.)

Mr. ARENS. Mr. Kahn, I invite your attention to still another passport application by yourself dated April 1956, in which the applicant seeks a passport to go to France, Italy, and Greece for research work, and which application is accompanied by a declaration from the Department of State, dated May 11, 1956, which asserts that you were a member of the Communist Party. Would you kindly examine these two documents and tell this committee while you are under oath whether or not these are true and correct reproductions of original documents submitted or received by you on that date?

(Documents were handed to the witness.)

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

(Documents marked "Kahn Exhibit No. 5" and retained in committee files.)

Mr. ARENS. Now, Mr. Kahn, I submit to you still a final passport application submitted by yourself under date of July 23, 1958 in which you solicit a United States passport for the purpose of establishing business contacts abroad in France, Germany, Czechoslovakia, Rumania, Greece and Italy, and in which passport application where the question appears, "Are you now a member of the Communist Party?" you answer "Kent and Briehl vs. U. S."

Kindly examine this application form which I am now displaying to you and tell this committee whether or not it is a true and correct reproduction of an application form filed by yourself under that date with the Department of State.

(Document handed to witness.)

Mr. KAHN. I respectfully decline to answer on the same basis.

(Document marked "Kahn Exhibit No. 6" and retained in committee files.)

Mr. ARENS. And on this passport application is noted "Passport issued Aug. 25, 1958."

Now, I display to you a thermofax reproduction of a document issued by the American Peace Crusade on June 29, 1951. According to this document the American Peace Crusade is sponsoring a summer speaking tour for Arthur D. Kahn between July and October covering

approximately a dozen and a half states. This document also states that Mr. Kahn is the author of "Betrayal: Our Occupation of Germany," and "Bonus for Murder."

Kindly look at this document which I am now displaying to you and tell this committee whether or not the recitation of your speaking tour as announced in that leaflet is factual.

(Document handed to witness.)

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

(Document marked "Kahn Exhibit No. 7" and retained in committee files.)

Mr. ARENS. Did you in 1951 engage in a speaking tour over the United States?

Mr. KAHN. I respectfully decline to answer on the same basis.

The CHAIRMAN. Mr. Kahn, are you the author of the book "Betrayal"——

Mr. KAHN. I respectfully decline to answer, sir.

The CHAIRMAN. —— "Our Occupation of Germany"?

Mr. KAHN. I respectfully decline to answer, sir.

Mr. ARENS. It is the information of this committee and it was the information of the Department of State at the time you applied for a passport in 1952 that in 1951 during these speeches you were denouncing the United States Army and charging our Army in Korea with committing atrocities against civilians in both Japan and Korea and that you were asserting, in effect, that the United States was the perpetrator of certain outrages in Korea.

Would you kindly while you are under oath affirm or deny statements which are thereby attributed to you?

Mr. KAHN. I respectfully decline to answer, sir, on the same basis.

Mr. ARENS. Were you at the instant that you affixed your signature to the passport application in 1958 a member of the Communist Party?

Mr. KAHN. I respectfully decline to answer, sir.

Mr. ARENS. Are you now, this instant, a member of the Communist Party?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. It is the information of this committee and it was the information of the Department of State at the time the passport was issued to you in 1958 that during the last war, while you were serving with OSS of the United States Government in Germany, you were then in contact with officials of the German Communist Party for the purpose of conducting Communist Party operations. If that is not true, please deny it while you are under oath.

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. Did you know Otto Grotewohl?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that while you were in Germany in the employ of the Government of the United States in the OSS you were in liaison on Communist Party missions with Otto Grotewohl.

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that in 1948 you were a member of the La Pasionaria Club of the Communist Party in New York City.

Mr. KAHN. I respectfully decline to answer.

Mr. ARENS. I put it to you as a fact that in 1949 you were the executive director of the New York State American Labor Party.

Mr. KAHN. I respectfully decline to answer that.

Mr. ARENS. Have you ever run for public office?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. You were a candidate for Congress, were you not, in 1952?

Mr. KAHN. I respectfully decline to answer.

Mr. ARENS. From New York City?

Mr. KAHN. I respectfully decline to answer.

Mr. ARENS. I put it to you as a fact, sir, that in 1951 you were an organizer for the Veterans for Peace and a leading organizer and activist in the American Peace Crusade. Please affirm or deny that allegation.

Mr. KAHN. I respectfully decline to answer.

Mr. ARENS. I put it to you as a fact, sir, that in 1951 in addresses made by yourself across this country you were urging the mothers of Korean casualties to bring pressure on Congress to end the Korean conflict; if that is not a fact, please deny it while you are under oath.

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. Do you know a person by the name of Natalie Gross?

Mr. KAHN. I respectfully decline to answer on the basis of the fifth amendment.

Mr. ARENS. I put it to you as a fact, sir, that in 1950 and 1951 you were in concert with Natalie Gross in Communist Party activities in El Paso, Texas.

If that is not a fact, please deny it while you are under oath.

Mr. KAHN. I respectfully decline to answer.

Mr. ARENS. I put it to you as a fact, sir, that in the early fifties you were in concert in certain activities in New Mexico with Craig and Jeanette Wells Vincent, the former operators of the San Cristobal Valley Ranch in New Mexico, a Communist nest. Would you kindly affirm or deny that while you are under oath?

Mr. KAHN. I respectfully decline to answer.

Mr. ARENS. Mr. Chairman, I think it is only proper that it be announced for the record that all of this information was available for the Department of State at the time he made his application for a United States passport and that, notwithstanding the fact that he had been refused passports on numerous occasions on security grounds, in view of the present state of the law, the State Department was required to issue a passport to him and he was issued a passport in 1958.

The CHAIRMAN. The facts in this case are not the same as the facts in the case on which the Supreme Court ruled. The thing I cannot understand is why the State Department issued a passport in this case.

Just because they held that in a particular case it was necessary to issue a passport does not necessarily prove that in cases which are not exactly in point they have to issue passports. This case is different, as I see it.

Mr. ARENS. Have you traveled abroad in the course of the last several months on a United States passport?

Mr. KAHN. I respectfully decline to answer.

Mr. ARENS. Mr. Chairman, that concludes the staff interrogation of this witness.

The CHAIRMAN. Any questions?

Mr. DOYLE. No questions.

Mr. JOHANSEN. No questions.

The CHAIRMAN. The witness is excused.

Mr. ARENS. The next witness, if you please, will be Mr. Victor Perlo.

The CHAIRMAN. Do you mind standing up?

Will you raise your right hand, please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PERLO. Yes, sir.

TESTIMONY OF VICTOR PERLO, ACCOMPANIED BY COUNSEL,
DAVID REIN

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. PERLO. I am Victor Perlo. I live in New York and am an economist.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. PERLO. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. PERLO. That is right.

Mr. ARENS. Counsel, will you kindly identify yourself for this record?

Mr. REIN. David Rein, R-e-i-n, 711 Fourteenth Street, Northwest, Washington, D.C.

Mr. ARENS. Mr. Perlo, in order to economize your own time, I will say it is a fact, is it not, that you have appeared before this committee in the past on other matters?

Mr. PERLO. That is correct.

Mr. ARENS. Mr. Perlo, I do not expect to go into the other matters which were the subject of the committee's pursuit in its previous interrogations of you, except for the purpose of identification.

Tell us when and where were you born?

Mr. PERLO. I was born in New York in 1912.

Mr. ARENS. Are you a citizen of the United States?

Mr. PERLO. Yes.

Mr. ARENS. Mr. Perlo, I should like to display to you now, if you please, a photostatic reproduction of a passport application filed with the Department of State on March 24, 1947.

Kindly look at this document and tell this committee whether or not it is a true and correct reproduction of a document filed by yourself seeking a United States passport on that date.

(Document handed to witness.)

Mr. PERLO. Probably so.

Mr. ARENS. Do you have a recollection more vivid than the probabilities of the matter?

Mr. PERLO. No, I couldn't be expected to recognize a document twelve years ago.

Mr. ARENS. Is this your signature, sir?

Mr. PERLO. Looks like it.

Mr. ARENS. This your photograph?

Mr. PERLO. Well, the one you show me doesn't look like anybody to me.

(Document marked "Perlo Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Was a passport issued pursuant to this application which you filed with the Department of State?

Mr. PERLO. No, it was not. May I say—what is your name again, sir?

Mr. ARENS. Arens.

Mr. PERLO. —Mr. Arens, that this is a question that was gone into by this committee, I believe, at a previous hearing. So this is a repetition.

Mr. ARENS. This is just background to a more current matter which we are going to get into very shortly, if you please, sir.

Where were you going to go, Mr. Perlo, when you filed your passport application in 1947?

Mr. PERLO. As I say, all these questions were asked, all the answers are in the record.

Mr. ARENS. Would you kindly tell us where you were going to go in 1947?

Mr. PERLO. Yes. I was going to go to England.

Mr. ARENS. In what capacity were you going to England?

Mr. PERLO. For a job.

Mr. ARENS. What was the job that you had?

Mr. PERLO. I don't remember the exact title. It had to do with some international refugee organization.

Mr. ARENS. You were going to be the treasurer of the Intergovernmental Committee on Refugees in London, were you not, in 1947?

Mr. PERLO. That sounds about like the job description.

Mr. ARENS. Who got that job for you or how did you get that job?

Mr. PERLO. I don't remember.

Mr. ARENS. Were you in 1947, the time you filed this passport application to go to London to assume the position as treasurer of the Intergovernmental Committee on Refugees, then a member of the Communist Party?

Mr. PERLO. Well, look, you know you subpoenaed me to come down here to talk about, I gather you are investigating a proposed passport legislation and I will be glad to give you my opinions on this proposed passport legislation which is that I think that—

The CHAIRMAN. We are not interested in your opinions, Mr. Perlo.
Mr. PERLO. Isn't that an unusual thing to call a witness before a committee studying legislation and not—

Mr. ARENS. The pending question is were you a member of the Communist Party when you filed your application with the Department of State in 1947 and when you told the Department of State in 1947 that you were then going to London to accept the position of treasurer of the Intergovernmental Committee on Refugees?

Mr. PERLO. Mr. Chairman, do you really mean you asked me to come down here as a witness and you refuse to hear my opinion about the legislation you are considering?

The CHAIRMAN. You are directed to answer the question, Mr. Perlo.

Mr. PERLO. What pertinence does the question have to the subject under investigation by the committee?

The CHAIRMAN. You are directed to answer the question.

Mr. PERLO. I believe it is your responsibility to explain to me what—

The CHAIRMAN. I know what my responsibility is. I directed you to answer this question.

Mr. PERLO. Well, under protest I will say in relation to that question that I refuse to answer it because it violates my rights under the first amendment, because it is no proper subject of inquiry by this committee and because it violates my rights under the first amendment to the Constitution.

The CHAIRMAN. All right.

Mr. ARENS. Is the record clear? No passport was issued pursuant to this application which you filed in 1947, is that correct?

Mr. PERLO. Excuse me a minute. I want to consult with my attorney.

(The witness conferred with his counsel.)

Mr. PERLO. What is that?

Mr. ARENS. It is correct, is it not, that no passport was issued pursuant to your application?

Mr. PERLO. That is right.

Mr. ARENS. Did you subsequently and in the year 1950 file a passport application with the Department of State in which you told the Department of State you wanted to go to France, Belgium, Italy and England for research and travel?

Mr. PERLO. I imagine so.

Mr. ARENS. I display to you now, if you please, sir, a photostatic reproduction of the passport application, I am uncertain of the exact month, it is in 1950, in which you solicit—

Mr. PERLO. Looks right to me.

Mr. ARENS. Was a passport issued pursuant to that application?

Mr. PERLO. It was not.

(Document marked "Perlo Exhibit No. 2" and retained in committee files.)

Mr. ARENS. I display to you now a photostatic reproduction of a letter, dated March 14, 1951, addressed to you from the then chief of the Passport Division in which the then chief of the Passport Division tells you that the passport application has been declined. Kindly look at that letter and tell this committee whether or not that is a

true and correct reproduction of the letter received by yourself on that date from the chief of the Passport Office.

(Document handed to witness.)

Mr. PERLO. Except it has a typical State Department formulation. It doesn't say it is declined. It simply says it is not being issued to me.

Mr. ARENS. Does it say why?

Mr. PERLO. No, it doesn't say. Oh, yes. "It would be contrary to the best interests of the United States."

(Document marked "Perlo Exhibit No. 3" and retained in committee files.)

Mr. ARENS. Now, Mr. Perlo, in 1958 did you file a passport application with the Department of State?

Mr. PERLO. Yes, sir.

Mr. ARENS. I display to you now a photostatic reproduction of a passport application bearing your signature, dated July of 1958 and ask you if that is a true and correct reproduction of a passport application filed by yourself with the Department of State.

(Document handed to witness.)

Mr. PERLO. Yes, I think so.

(Document marked "Perlo Exhibit No. 4" and retained in committee files.)

Mr. ARENS. Mr. Perlo, shortly after your filing of this passport application did you receive a letter from the Department of State dated September 16, 1958, from Frances Knight, Director of the Passport Office? I am now displaying to you a photostatic reproduction of a letter and asking you if that is a true and correct reproduction of a letter you received.

Mr. PERLO. I won't say it was shortly after. They took their sweet time about it.

Mr. ARENS. That was in September, was it not, and your application was filed in July?

Mr. PERLO. About ten weeks later.

(Document marked "Perlo Exhibit No. 5" and retained in committee files.)

Mr. ARENS. I should like for the purpose of the information of the committee and for the record to read this letter, if you please, Mr. Chairman:

Dear Mr. Perlo: Reference is made to your application for a passport executed at New York, New York on July 7, 1958.

In connection with your application, the Department has received information indicating that you have been a member and a leader of an espionage group and that you have actively engaged in espionage activities on behalf of a foreign government.

Based upon this information your entitlement to passport facilities is being considered in the light of the provisions of Section 51.136 of the Passport Regulations, a copy of which is set forth in the enclosed circular.

In order to assist the Department in its consideration of your entitlement to a passport, it is requested that you submit under oath answers to the following questions.

1. Did you furnish, communicate, deliver or transmit, directly or indirectly, secret or confidential information of the United States to any person or persons for transmission to a foreign government or a representative of a foreign government? Are you now furnishing, communicating, delivering, or transmitting or attempting to furnish, communicate, deliver or transmit, directly or indirectly, secret or confidential information of the United States to any person or

persons for transmission to a foreign government or a representative of a foreign government? If so, give complete particulars, including dates, nature of the information and the identity of the person or persons involved.

2. Did you participate in discussions with others relative to the obtaining and assembling of secret or confidential information of the United States for transmission to a foreign government or a representative of a foreign government? Are you now participating in discussions with others relative to the obtaining and assembling of secret or confidential information of the United States for transmission to a foreign government or a representative of a foreign government? If so, give complete particulars, including dates, nature of the information, and the identity of the person or persons involved.

3. Did you, acting by yourself or in concert with others, furnish, communicate, deliver, or transmit, or attempt to furnish, communicate, deliver or transmit, directly or indirectly, secret or confidential information of the United States to any person or persons for transmission to a foreign government or a representative of a foreign government? Are you now, acting by yourself or in concert with others, furnishing, communicating, delivering, or transmitting, or attempting to furnish, communicate, deliver, or transmit, directly or indirectly, secret or confidential information of the United States to any person or persons for transmission to a foreign government or a representative of a foreign government? If so, give complete particulars, including dates, nature of the information and the identity of the person or persons involved.

4. Did you direct the activities of a group of persons in obtaining and assembling or in attempting to obtain and assemble secret or confidential information of the United States Government for the purpose of transmitting it to a foreign government or a representative of a foreign government? Are you now directing the activities of a group of persons in obtaining and assembling or in attempting to obtain and assemble secret or confidential information of the United States Government for the purpose of transmitting it to a foreign government or a representative of a foreign government? If so, give complete particulars, including dates, nature of the information and the identity of the person or persons so involved.

5. Are you now or have you in the past engaged in espionage activities on behalf of a foreign government or foreign principal? If so, give complete particulars, including dates, nature of your activities, and identity of the person or persons involved.

6. In the event a passport is issued to you, will you by yourself or acting in concert with others, engage in espionage activities while abroad on behalf of a foreign government or foreign principal?

7. In the event a passport is issued to you, will you aid, assist, abet or advise others while abroad to engage in espionage activities on behalf of a foreign government or foreign principal?

8. In the event that a passport is issued to you, will you, acting by yourself or in concert with others, engage while abroad in transmitting non-public information to a representative of a foreign government or foreign principal?

9. Have you used or been known by any name other than Victor Perlo? If so, give such name or names and relate the circumstances under and periods during which each name was used.

10. Have you ever acted or agreed to act as an agent for a foreign principal? More specifically, have you ever collected information for or reported information to a foreign principal?

11. Did you ever receive an assignment in the espionage, counter-espionage, or sabotage service of any foreign government or foreign political party?

12. Are you acquainted with the following one-time members of the Soviet espionage apparatus in the United States: J. Peters, Jacob Golos, Jay David, Whittaker Chambers, and Elizabeth Terrill Bentley? If so, give the details and circumstances of your contacts with each.

In the event no reply is received from you within sixty days of the date of this letter it will be assumed you are no longer interested in obtaining a passport and steps will be taken to return your fee.

Subsequent to the receipt of this letter which you have just identified a few moments ago on this record, did you then dispatch a letter to the Department of State, to the chief of the Passport Office?

Mr. PERLO. Yes.

Mr. ARENS. I display to you now, if you please, sir, a photostatic reproduction of a letter dated October 27, 1958, addressed to the chief of the Passport Office and ask you if that is a true and correct reproduction of a letter sent by yourself to the chief of the Passport Office.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. PERLO. That looks like the same letter.

(Document marked "Perlo Exhibit No. 6," and retained in committee files.)

Mr. ARENS. Mr. Chairman, I respectfully request to read the letter in the record for the enlightenment of the committee:

DEAR MRS. KNIGHT: You state in your letter of September 16 that you have received information that I have engaged in espionage activities and you submit to me a long questionnaire, in the light of Section 51.136 of the passport regulations, in considering my application for a passport.

You are exceeding your legal authority in asking these questions, and they are impertinent. Obviously, these questions relate to the ancient charges of Elizabeth Bentley and Whittaker Chambers. These were publicly aired over a decade ago; they were followed up by innumerable FBI agents and several Congressional Committees; and they were heard and investigated by several grand juries, before two of which I testified.

The flimsy nature of those charges was exposed by the failure of any grand jury to hand down an indictment against me. I have never been convicted or legally accused of any crime. Moreover, the charges of Bentley and Chambers did not claim that I carried on espionage activities on behalf of a foreign power, the subject of your inquiries.

While I do not accept your right to ask me any special questions, I will give you certain assurances in connection with Section 51.136 of your regulations, dealing with violation of the laws of the United States on the part of persons traveling abroad:

1. I am not engaged in espionage on behalf of a foreign power.
2. In traveling abroad I will not be engaged in espionage on behalf of a foreign power, nor will I engage in any other criminal activity.
3. I will not, of course, engage in espionage at any time.
4. My activities abroad would not: (a) violate the laws of the United States; (b) be prejudicial to the orderly conduct of foreign relations; or (c) otherwise be prejudicial to the interests of the United States.

In my application of July 7th, I stated that the purpose of my travel would be for pleasure. Your refusal to issue a passport promptly has made that pleasure trip impossible.

I wish now to travel for business reasons, specifically: to arrange for collection of royalties on books of mine that have been translated; to arrange for additional translations; to arrange for payment on articles of mine that have been republished abroad; and to arrange for placing additional articles with foreign customers. I expect to conduct such business in England, France, Italy, the USSR, Czechoslovakia and Rumania.

(Representative Moulder entered the hearing room.)

Mr. ARENS. Now, Mr. Perlo, have you ever engaged in espionage activities?

Mr. PERLO. Well, it seems to me that you are now certainly simply rehashing the same questions that were gone into in that letter and that you went into before. I can any more say this is to establish background. You just read the whole business. You know what my answers were. It seems to me you are just asking me this question again to harass me and not help solve any questions of passport legislation.

Mr. ARENS. Before you answer this outstanding question, it is clear, is it not, your letter was not under oath when you submitted the information to the Department of State?

Mr. PERLO. The fact it is not under oath was simply incidental, the letter to them was informal. If they were willing to accept that letter I would be glad to put it under oath. Their answer to it was not only it was not under oath, they didn't regard it as responsive to their questions anyhow, no point to it.

Mr. ARENS. Please answer the question. Have you ever engaged in espionage activities against the Government and the people of the United States?

Mr. PERLO. I will give you the same answer to that I gave in previous hearings because it is my opinion that this, as I said in the letter, that these charges are old hat and they are asked for purposes of harassing me and entrapping me and I am not going to fall into such a business and I refuse to answer them on the grounds of the fifth amendment.

Mr. ARENS. Mr. Perlo, have you ever been known by any other name?

Mr. PERLO. Since you insist on pursuing this whole line of repetition questions I will give the same answer to that as the previous one and for the same reason.

Mr. ARENS. Were you the instant that you affixed your signature to the application for a United States passport in 1958, which I displayed to you a few moments ago, were you that instant a member of the Communist Party?

Mr. PERLO. Well, on the question of membership in the Communist Party that is clearly an impertinent question to passport application and it was so ruled by the Supreme Court of the United States. It seems to me that you are not behaving correctly to ask me a question that was so ruled by the Supreme Court of the United States.

Mr. ARENS. Did the Department of State subsequent to the correspondence which we have just inserted in the record request you to answer the questions which it had posed to you in its letter of September 16 under oath?

Mr. PERLO. I don't remember.

Mr. ARENS. I display to you now, if you please, sir, a photostatic reproduction of a letter dated November 24, 1958, which the Department of State, among other things, states as follows:

The Department has reviewed your letter of October 27, 1958, and does not consider your reply responsive to the questions propounded to you in its letter of September 16, 1958. It also does not appear that you executed your answers under oath as requested. For these reasons, you are again requested to answer under oath the specific questions set forth in the Department's letter of September 16, 1958. Your cooperation in this matter will be of material assistance to the Department in determining your entitlement to a passport.

Kindly look at this photostatic reproduction of the document I am now displaying to you and tell this committee whether it is a true and correct reproduction of a letter you received?

Mr. PERLO. That is correct.

Mr. ARENS. Thank you, sir.

(Document marked "Perlo Exhibit No. 7" and retained in committee files.)

Mr. PERLO. I want to make it clear as I tried to do before that I stand ready to give the State Department the assurances I gave them in that letter under oath and at any time and what I will not do under oath or otherwise is give an answer to a detailed special dis-

criminatory questionnaire directed against me which is contentious in character.

Mr. ARENS: Will you give the Department under oath a statement that you are not a member of the Communist Party?

Mr. PERLO. No. That is not any business of the State Department.

Mr. ARENS. I direct your attention to a photostatic reproduction of a letter dated December 2, 1958 addressed to Mrs. Knight, the chief of the Passport Office:

Dear Mrs. Knight: I have your letter of November 24. Since you are apparently determined to violate the law by denying me a passport, and since it is obvious from Mr. O'Connor's reference to me in his speech of November 8 that my application has been prejudged, please return my application and fee.

Kindly look at that document and tell this committee whether or not that is a true and correct reproduction of the letter dispatched by you to the Department of State.

Mr. PERLO. Yes; correct.

(Document marked "Perlo Exhibit No. 8" and retained in committee files.)

Mr. ARENS. Mr. Perlo, I direct your attention, if you please, to an advertisement appearing in The Worker of March 1, 1959. The advertisement reads as follows:

"In Chicago, The Worker Forum Presents Victor Perlo, Authority on Economics, author, who has recently concluded an exhaustive study on China, who will speak on China Today, Fine Arts Building, Music Room, 410 S. Michigan Avenue. Admission \$1.00. Students 50 cents. Auspices Freedom of the Press Committee."

Kindly look at that advertisement and tell this committee whether or not the recitation of facts there respecting your address or talk is true and correct.

Mr. PERLO. It is probably correct. Except that it exaggerates the details of my knowledge on China. Yes.

(Document marked "Perlo Exhibit No. 9" and retained in committee files.)

Mr. ARENS. Did you on March 1, 1959, the date indicated in the advertisement give the address under the auspices of the Freedom of the Press Committee in Chicago?

(The witness conferred with his counsel.)

Mr. PERLO. Would you tell me, Mr. Arens, what reference this question has to do with legislation?

Mr. ARENS. That committee has frequently been found to be controlled by the Communist Party. This is a current activity by yourself.

Mr. PERLO. What does that have to do with passport legislation?

Mr. ARENS. I don't think it is at all—

The CHAIRMAN. Answer the question, Mr. Perlo.

(The witness conferred with his counsel.)

Mr. PERLO. Well, as I said, I don't see that it has anything to do with the passport legislation, but since you made a point, I will answer the question.

And I give talks at many places under many different auspices and I am glad to give talks under the auspices of the Freedom of the Press association just as I am under the auspices of the American Economic Association and many other kinds of public bodies, and

none of my talks have anything to do with any Communist conspiracy or any other kind of conspiracy.

Mr. ARENS. Were you a member of the Communist Party when you made your address in Chicago on China Today?

Mr. PERLO. I will give you the same answer to that that I gave around half an hour ago when we began this discussion. The situation is the same. I answer the same.

Mr. ARENS. Are you now, this instant, as you are appearing before this committee, a member of the Communist Party?

Mr. PERLO. Same answer.

Mr. ARENS. That would conclude, if you please, Mr. Chairman, the staff interrogation of this witness.

The CHAIRMAN. Any questions, Mr. Doyle?

Mr. DOYLE. No questions.

The CHAIRMAN. I would like to ask you a question, Mr. Perlo. In your letter of October 27, 1958, to the State Department you stated that you wish "to travel for business reasons, specifically: to arrange for collection of royalties on books of mine that have been translated." What books were you talking about?

Mr. PERLO. All of my books have been translated into various foreign languages.

The CHAIRMAN. This did not refer to any particular one?

Mr. PERLO. None.

Mr. ARENS. Mr. Chairman, I would like to read the witness some reasonably current testimony and ask him about it. It will just take a minute, please, sir.

The CHAIRMAN. All right.

Mr. ARENS. Mr. Herbert Fuchs testified before this committee in 1955, December of 1955—

Mr. PERLO. Pardon me. You had me here at that time on that hearing and you asked me those same questions. You really did, sir.

The CHAIRMAN. You do not know what questions.

Mr. PERLO. Whatever questions, about Fuchs' testimony.

Mr. ARENS. If we did, Mr. Chairman, I don't think we should pursue it at this time.

The CHAIRMAN. Make sure about it.

Mr. REIN. You did, yes. You had him here as a witness then.

Mr. ARENS. It will only take a minute to repeat it, Mr. Chairman.

The CHAIRMAN. There is no use repeating it if he was asked the questions. We have it in our records.

Mr. PERLO. It seems to me it was 1956, actually.

Mr. ARENS. We will not pursue it, then, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. ARENS. We have no more witnesses this morning.

The CHAIRMAN. The committee will stand in recess.

These hearings will be resumed next Friday morning.

(Present at the time of the recess: Representatives Walter, Doyle, Moulder, and Johansen.)

(Whereupon, at 11:10 a.m., Friday, April 24, 1959, the committee recessed to reconvene at 10 a.m., Friday, May 1, 1959.)

PASSPORT SECURITY

FRIDAY, JUNE 5, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.
PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to notice, at 10 a.m., in the Caucus Room, Old House Office Building, Honorable Morgan M. Moulder (chairman of the subcommittee) presiding.

Subcommittee members present: Representatives Morgan M. Moulder, of Missouri; Clyde Doyle, of California; and August E. Johansen, of Michigan.

Committee member also present: Edwin E. Willis, of Louisiana. Staff members present: Frank S. Tavenner, Jr., counsel, and Donald T. Appell, investigator.

Mr. MOULDER. The committee will be in order.

Today we resume the hearings which were begun on April 21, 1959, on the general subject of passport security.

In opening the hearings on that date an extensive statement was made on the scope of inquiry and the subject matter with which we expected to deal. At that time it was pointed out that because of the vast scope of the subject matter and the great number of witnesses who could be subpoenaed we expected only to sample types and patterns of cases.

Immediately after the Kent-Briehl decision by the Supreme Court on June 16, 1958, the Passport Office of the Department of State was flooded with applications for passports by persons who were known to be Communists. Within the first four months following the Supreme Court decision, the State Department granted passports to approximately 600 persons who have records of activity in support of the international Communist movement. The persons granted passports include individuals trained in Moscow, individuals who have been involved in Communist espionage activity, individuals who have performed Communist functions in countries other than the United States, and Communist Party members, both concealed and open, who owe an undying allegiance to the international Communist conspiracy.

Communists, like termites, nest underground and concentrate their attack on the vital segments of the edifice which they are undermining. It is essential that Communists, like termites, travel from their nesting place to vital areas. In the case of the international Communist

conspiracy, international travel of couriers, spies, and propagandists is essential.

In the Kent-Briehl case the Secretary of State denied two applications for passports on the ground that the applicants were Communists. This action of the Secretary of State was sustained by both the appropriate Federal District Court and the United States Court of Appeals.

The Supreme Court of the United States, however, in a 5 to 4 decision, reversed the decision of the United States Court of Appeals on the ground that the Secretary of State did not have the authority to deny passports to citizens because of "their beliefs and associations"; in other words, the majority of the Supreme Court took the position that a Communist is only a person entertaining certain beliefs and associations. How long will it be before certain circles in this Government recognize the plain simple fact that communism is communism, and that Communists are Communists?

The reports and hearings of the Committee on Un-American Activities demonstrate to the point of monotony the fact that communism is a world conspiracy of force, violence, intrigue, and subversion and that by every definition a Communist is a participant in this conspiracy. Unless we recognize this elemental truth, we have little hope of ultimate survival in the face of this awful force which is extinguishing freedom everywhere.

The committee resolution adopted January 23, 1959, authorizing this hearing, is as follows:

Be it resolved, That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Washington, D.C., and at such other place or places as the chairman may indicate, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following:

1. The advisability of reporting favorably to the House for enactment, amendments to section 215 of the Immigration and Nationality Act as contained in Title IV—Immigration and Passport Security, of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities for its consideration.

2. The advisability of recommending legislation expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority to the Secretary of State to issue substantive regulations in the passport field, as set forth in the Annual Report of the Committee on Un-American Activities for the year 1956.

3. The development of factual information which may be of assistance to the committee and to Congress for use in their consideration of the legislative proposals enumerated, or amendments thereto.

4. The execution by the administrative agencies concerned of all laws and regulations, within the jurisdiction of this committee, relating to the granting of passports.

Be it further resolved, That the hearings may include any other matter within the jurisdiction of the committee which it, or any subcommittee thereof appointed to conduct this hearing may designate.

The order of appointment of this subcommittee is as follows:

JUNE 4, 1959.

To Mr. Richard Arens, Staff Director, House Committee on Un-American Activities:

Pursuant to the provisions of the law and the rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities,

consisting of Representative Morgan M. Moulder, as Chairman, and Representatives Clyde Doyle and August E. Johansen, as associate members, to conduct hearings in Washington, D.C., Friday, June 5, 1959, at 10 a.m., on subjects under investigation by the Committee and take such testimony on said day or succeeding days, as it may deem necessary.

Please make this action a matter of Committee record.

If any Member indicates his inability to serve, please notify me.

Given under my hand this 4th day of June 1959.

(Signed) FRANCIS E. WALTER,

Chairman, Committee on Un-American Activities.

You may proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Martin Popper, please.

Mr. MOULDER. You do solemnly swear that the testimony which you are about to give before this subcommittee of the Committee on Un-American Activities will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. POPPER. I do.

**TESTIMONY OF MARTIN POPPER, ACCOMPANIED BY COUNSEL,
LEONARD B. BOUDIN.**

Mr. TAVENNER. State your name, please, sir.

Mr. POPPER. Martin Popper.

Mr. TAVENNER. And your present address?

Mr. POPPER. 322 Central Park West, New York.

Mr. TAVENNER. Will counsel accompanying the witness identify himself for the record?

Mr. BOUDIN. Leonard B. Boudin, 25 Broad Street, New York City 4, N.Y.

Mr. TAVENNER. When and where were you born, Mr. Popper?

Mr. POPPER. I was born in New York City, February 7, 1909.

May I be permitted, Mr. Chairman, to make a very brief statement on jurisdiction? It will take no more than two minutes.

Mr. MOULDER. Has a copy of it been filed?

Mr. POPPER. It is not a statement of the kind that you have in mind. It is merely a statement directed to the legal and constitutional jurisdiction of the committee.

Mr. TAVENNER. Mr. Chairman, it would seem that a matter relating to jurisdiction would be a matter for the courts, and not for this committee.

Mr. MOULDER. I think that is true.

Does the committee so rule?

Of course, you have that point reserved, as stated by the counsel.

Mr. POPPER. I have in mind, and I will not argue the point, that it will take about one minute, and I think would help the committee in understanding the basis of my testimony. I think it will aid the committee rather than hinder it. As I say, it takes about one minute.

Mr. MOULDER. Would you hand the statement to counsel?

Mr. POPPER. It is in my own handwriting. I have no idea whether he can read it. Actually, Mr. Tavenner, as you know, I have no desire to—

Mr. WILLIS. Mr. Chairman, may I suggest this: It has been our policy that if any statement is desired to be made, that it be furnished to the committee counsel for our files. I would suggest that it be

done in that fashion. Or, in answer to questions that will come, he might make that part of his answer. I don't think we should depart from our policy.

Mr. MOULDER. The committee so rules.

Mr. TAVENNER. Mr. Popper, will you briefly outline your educational training?

Mr. POPPER. Yes. I attended the public schools in the city of New York, and high school. I attended the College of the City of New York.

Mr. TAVENNER. When did you attend the College of the City of New York?

Mr. POPPER. Around the year of 1926, for a short time thereafter, then entered law school, the Brooklyn Law School. I was admitted to the bar in 1931.

Mr. TAVENNER. Will you outline your occupational background?

Mr. POPPER. Well, I have been a lawyer ever since my admission to the bar. I practiced law for a while and then became secretary of the National Lawyers Guild.

Mr. TAVENNER. During what period of time?

Mr. POPPER. I think approximately from 1940 to 1947. Thereafter, I practiced law again, and I am doing it now.

Mr. TAVENNER. Did you precede Mr. Robert J. Silberstein?

Mr. POPPER. As secretary of the Guild?

Mr. TAVENNER. Yes.

Mr. POPPER. Yes.

Mr. TAVENNER. Did you serve in the Armed Forces of the United States?

Mr. POPPER. No.

Mr. TAVENNER. Did you hold any position in the Government during the period of the war, World War II?

Mr. POPPER. No.

Mr. TAVENNER. Mr. Popper, I hand you a photostatic copy of an application for U.S. Passport, purportedly executed by you on August 26, 1958, and ask if this is a copy of the application which you executed.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. POPPER. Yes, that would seem to be a photostatic copy of my application.

Mr. TAVENNER. Thank you.

I desire to offer a copy of the application in evidence and ask that it be marked "Popper Exhibit No. 1."

Mr. MOULDER. The exhibit will be admitted in evidence and marked "Popper Exhibit No. 1."

(Document marked "Popper Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Mr. Popper, there appears on the page where your photograph is, and under your photograph, three questions, which are as follows:

Are you now a member of the Communist Party? (Write "yes" or "no.")

Have you ever been a member of the Communist Party? (Write "yes" or "no.")

If ever a member, state period of membership from _____ to _____.

Will you examine that, please?

(Document handed to the witness.)

Mr. TAVENNER. That is right under your photograph.

Do you observe any answer was given to any one of those three questions?

Mr. POPPER. No; there was no answer given to any of the questions.

Mr. TAVENNER. Why did you not answer those questions?

Mr. POPPER. Because it had been decided by the Supreme Court the State Department had no authority or power to ask the questions.

Mr. TAVENNER. The purpose of this hearing, Mr. Popper, is to determine, among other things, whether or not the Secretary of State should be given authority, by legislation, to require passport applicants to furnish information of the nature called for in these three questions.

I would, therefore, like to ask you if at the time you executed your application for a passport you were a member of the Communist Party?

Mr. POPPER. I respectfully decline to answer that question, Mr. TAVENNER, on the following grounds: I understand the Supreme Court's decision in the Watkins case to mean that this committee's authorizing resolution is so vague that to compel testimony under it would violate the due process clause of the Federal Constitution and that the jurisdiction which the committee has assumed is so limitless that its inquiries into the area of speech, press, or political belief and association abridges the freedoms guaranteed by the first amendment.

Furthermore, the subject matter of this investigation is equally limitless and, therefore, violates these same constitutional guarantees.

I add that to the extent it is ascertainable, to the extent that the subject matter of this inquiry is ascertainable, this committee is not authorized by Congress to conduct it.

Therefore, I respectfully contend that the committee has no authority to conduct this investigation.

I also decline to answer the question because I do not believe it is pertinent.

Mr. TAVENNER. You object, then, on the ground of pertinency, as well as the ground of jurisdiction?

Mr. POPPER. Yes, on all of the grounds which I have just stated.

Mr. MOULDER. Do you claim the protection provided for in the Constitution by the fifth amendment?

Mr. POPPER. I am not—I assume you are talking about the privilege against self-incrimination?

Mr. MOULDER. Yes.

Mr. POPPER. I am not claiming the privilege against self-incrimination.

Mr. MOULDER. You decline to answer it for the reasons of your challenge to the jurisdiction and pertinency of the question?

Mr. POPPER. Well, I stated that I declined to answer it on the grounds that I challenge the jurisdiction of the committee, based upon the decision of the United States Supreme Court; that I believe the question is violative of my first amendment rights; and that I believe that the subject matter of the inquiry is unlawful; that I believe that the subject matter of the inquiry is outside of the power of this committee to conduct; and that the question is not pertinent.

Mr. MOULDER. The committee does not accept that as a valid reason for refusing to answer the question. The witness is directed to answer the question.

Mr. POPPER. I respectfully decline.

Mr. TAVENNER. I think, Mr. Chairman, in light of the fact that the witness has objected also on the ground of pertinency, that under the provisions of the Watkins case it would be necessary that pertinency be explained to the witness.

Mr. MOULDER. Yes. Proceed.

Mr. TAVENNER. May I say—

Mr. DOYLE. May I at that point state, however, that I think the Watkins case makes it clear that there is more than one way in which a witness can know the pertinency of a question. I submit that the opening statement read by our chairman shows very clearly to this witness the pertinency of the question. That is one way. That is one way under the Watkins case in which the witness can be informed.

He is already informed as to the pertinency under the Watkins decision. I do not object to counsel of the committee going further than that, if he wants to, but I submit that this witness has already been informed as to the pertinency and that the raising of the question of pertinency here, is after he has already been informed. He was informed of the pertinency of this line of questions before he took the oath.

Mr. MOULDER. I will add to that this point: You did hear the statement read by me, did you not, which I read into the record?

Mr. POPPER. Yes.

Mr. DOYLE. He was right here.

Mr. POPPER. I don't want to engage in too lengthy legal dissertation, Mr. Chairman or Congressman Doyle.

I think you know that for—I say I think you know, if I may address you, respectfully, Congressman Doyle—that for more than 15 years before the courts of the United States, and I think Mr. Tavenner does, too, and as a practicing lawyer before this committee and otherwise, I have earnestly pleaded that this committee did not have the authority to compel testimony regarding a person's political affiliation. That, it seems to me, after all of these years in which many people have suffered anguish, economic hardship, and so forth, has finally been dealt with by the highest court.

Mr. MOULDER. Now let us proceed.

Mr. POPPER. I merely say that, therefore, my position is one predicated upon my understanding of the meaning of the Court's decision.

Mr. MOULDER. Counsel will proceed.

Mr. TAVENNER. You have specifically relied upon an objection as to pertinency. I think it obvious that the opening statement made by the chairman should be a sufficient explanation of pertinency.

But in order that there be no doubt as to our purpose of complying with the decision of the Supreme Court in the Watkins case, I would like to make some further explanation, which I think should make it unquestionably clear.

The subject of the hearing is passport security. H.R. 2232, referred to this committee, contains certain amendments to the Immigration and Nationality Act entitled "Immigration and Passport Security Act." Chapter 2 deals with passport security, and chapter 3 with passport review procedure.

This bill was offered in an effort to stop the gap in Federal law resulting from the decisions of the Supreme Court in *Kent-Briehl v. Dulles*, and *Dayton v. Dulles*.

Another subject of the hearing is to maintain a surveillance over the administration and operations of all laws and regulations within the jurisdiction of this committee relating to the security phase of the granting of passports.

The question propounded to you is pertinent to the subject in that it relates directly to information which the State Department, under its regulations, was required to obtain in considering passport applications prior to the rendering of the decision in the cases mentioned, and which regulations the committee is now considering should be given statutory effect.

The reasoning of the committee in propounding the question is to demonstrate the gap in Federal security laws, should you in fact have been a member of the Communist Party at the time of the granting of your application for passport, and to give this committee and Congress information as to the problem now confronting the State Department in the passport field, for the purpose of determining the need and urgency of remedial legislation.

(At this point Representative Willis left the hearing room.)

Mr. TAVENNER. Now, may I ask that the witness be directed to answer?

Mr. BOUDIN. May I ask if the committee will hear counsel's explanation as to why Mr. Tavenner's response does not adequately show the witness and his counsel the pertinency of the question?

Mr. MOULDER. Counsel understands the question. You have the authority to advise your client and confer with him. Do you wish to have a conference with him before I direct him to answer?

Mr. POPPER. Yes, sir.

Mr. BOUDIN. May I note an exception to the chairman's ruling, Mr. Chairman?

Mr. MOULDER. The record will show whatever you said.

Mr. BOUDIN. Thank you.

(The witness conferred with his counsel.)

Mr. MOULDER. The witness is directed to answer the question.

Mr. POPPER. I respectfully decline, and state that Mr. Tavenner's analysis and explanation does not, in my opinion, meet the test of pertinency laid down by the Supreme Court. That test is one which requires, in the first place, jurisdictional pertinency. Since it has determined, in my opinion, that the authorizing resolution of this committee is so vague and limitless, it is not possible that this question should meet the test of jurisdictional pertinency, since it is not possible under those circumstances to frame a question which would be pertinent even in a statutory sense.

Therefore—and I would also say that the subject matter of the inquiry as outlined by the chairman today and previously is, itself, so broad, so limitless, that it is not possible to frame a question, and this question specifically is not framed to meet the test of pertinency, particularly since it is in the area of association, which means, specifically, that it cannot be pertinent when the area of investigation is so completely limitless.

Mr. TAVENNER. So you are taking the position that this committee cannot ask any pertinent question because it does not have jurisdiction. That, in essence, is the position you are taking, is it not?

Mr. POPPER. No, I am not conceding that. I have given you my reasons in relation to this specific question.

I would add that the question, in my opinion, has no possible valid legislative purpose.

Mr. MOULDER. We want the record to clearly show that the committee does not accept your response to the question.

Mr. DOYLE. I would suggest, Mr. Chairman, and I ask the chairman to again instruct the witness to answer the questions in view of his legal dissertation, as well as in the capacity of a very able witness, since he was previously instructed.

Then there would be no question but that he understands that he is instructed in spite of all his objections.

Mr. MOULDER. I agree. I think the record clearly shows that.

We want to impress upon you that the committee does not accept your answer or response to the question. You are directed to answer. Do you still refuse to answer?

Mr. POPPER. I do, Mr. Chairman.

Mr. MOULDER. Mr. Johansen, have you a question?

Mr. JOHANSEN. No.

Mr. MOULDER. Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Popper, I hand you a photostatic copy of a passport application purportedly executed by you on March 11, 1946.

Will you examine it, please, and state whether or not you signed that application?

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. MOULDER. The record should show that the witness and counsel are making close inspection of the document referred to by counsel.

(The witness conferred with his counsel.)

Mr. POPPER. Yes, this would seem to be an accurate photostatic copy of my application.

Mr. TAVENNER. I offer the document in evidence and ask that it be marked "Popper Exhibit No. 2."

Mr. MOULDER. It will be so marked.

(Document marked "Popper Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. Was a passport issued to you, Mr. Popper, pursuant to this application?

Mr. POPPER. It was.

Mr. TAVENNER. It is noted that the application states the purpose of travel as being to Germany; official, War Department.

Will you explain that, please?

Mr. POPPER. Yes, of course.

Mr. Justice Jackson, who was then the chief prosecutor for the United States at the Nuremberg trials, invited two representatives of the National Lawyers Guild and two representatives of the American Bar Association to come to Nuremberg to observe the Nuremberg trial as members of the bar and to report their observations to the bar. I was one of the four, pursuant to that, who accepted the invitation and went.

Mr. MOULDER. What was the date of that, Mr. Tavenner?

Mr. TAVENNER. The date was March 11, 1946.

How long did you remain in Germany? Let me put the question this way: How long were you abroad in traveling under this passport?

Mr. POPPER. Of course, I can't remember exactly, but I think it must have been approximately six to eight weeks.

Mr. TAVENNER. What was your position with the National Lawyers Guild at the time that you engaged in this travel?

Mr. POPPER. I was secretary of the National Lawyers Guild.

Mr. TAVENNER. At the time you made this application for passport, were you a member of the Communist Party?

Mr. POPPER. I decline to answer that question for the reasons already stated.

Mr. MOULDER. You are again directed to answer.

Mr. POPPER. I respectfully decline.

Mr. MOULDER. Then may I ask this question: While you were over there under this passport, did you confer with Communist Party leaders in any foreign country?

Mr. POPPER. Well, I am taking the position that questions regarding political belief, opinion, association, assembly, are outside the purview of this committee, and consistent with that I will decline to answer this question on the same grounds.

Mr. TAVENNER. Congress has determined, and has found in its findings of fact in connection with the passage of numerous bills, including the Internal Security Act of 1950, the Communist Control Act of 1954, that the Communist Party is a conspiracy.

You are speaking of membership in the Communist Party as involving only beliefs and opinions. The committee, of course, adopts the view of Congress that membership in the Communist Party is not membership in a political organization in the sense that we understand political organizations in this country, and the courts also have so held.

Will you tell us when you arrived in Germany?

Mr. POPPER. I arrived in Germany shortly after I obtained the passport. I can't tell you exactly when. But I suspect it must have been in March of that year. Isn't that when the application was made?

Mr. TAVENNER. Yes, March 1946.

Mr. POPPER. I think it must have been during the month of March.

Mr. TAVENNER. After your arrival in Germany, did you receive an invitation from the Soviet delegation at Nuremberg to visit the Soviet Union as a representative of the National Lawyers Guild?

Mr. POPPER. I received an invitation from one of the distinguished lawyers who was a member of the Soviet legal delegation to go to the Soviet Union and to talk to the lawyers there about my observations of the Nuremberg trial.

I then went to Mr. Justice Jackson, told him I had received this invitation, and asked him his opinion as to whether I should go. It was his opinion that I ought to go, talk to the Soviet lawyers; those who I would see, about my observations at Nuremberg, and requested that I come back to Nuremberg to tell him about my experiences in the Soviet Union.

And I did accept the invitation and did go.

Mr. TAVENNER. How long had you observed the conduct of the trials prior to your departure for the Soviet Union?

Mr. POPPER. I think I was there for about two weeks.

Mr. TAVENNER. Was it known by the members of the Soviet delegation who extended the invitation to you that you had been a member of the Communist Party of the United States, or affiliated with it? (The witness conferred with his counsel.)

Mr. POPPER. I am afraid that that is merely another form of the same question in which you are attempting to establish my political affiliations, and I decline to answer on the same grounds as before. The form of the question does not in any way affect the substance of the question.

Mr. MOULDER. You are again directed to answer.

Mr. POPPER. I respectfully decline.

Mr. MOULDER. May I add to the question propounded by counsel? Did you advise with Communist Party leaders, or advise and inform them of the Communist Party movement in this country?

Mr. POPPER. Well, as I say, any questions relating to discussions I may have had with anyone regarding political issues is merely another form of the same question.

I respectfully decline to answer that question or questions of a similar kind.

Mr. TAVENNER. While in the Soviet Union, did you discuss the formation of the International Association of Democratic Lawyers and the role which the National Lawyers Guild was expected to play in that organization?

Mr. POPPER. I think that question is too broad in the sense that I could not have discussed an organization not yet in being. I did discuss with lawyers in the Soviet Union the question of the value of, or the possible value of, the formation of an organization of lawyers dedicated to the support of the principles of the United Nations and, generally, in support of the principles of the Nuremberg charter.

Mr. TAVENNER. In September of 1956, did you apply for an additional U.S. passport for the purpose of representing the National Lawyers Guild at the International Congress of Lawyers held in Paris, France?

Mr. POPPER. No, but that is merely, I think, an error on your part that you didn't mean. It could not have been 1956. I think you mean 1946.

Mr. TAVENNER. It is 1946.

Mr. POPPER. That is right. I did apply—for an additional passport?

Mr. TAVENNER. Yes.

Mr. POPPER. I can't remember that, whether I applied again for another passport or whether I still had my passport. I just don't remember that.

Mr. MOULDER. May I inquire?

The second document that you referred to in the testimony which was submitted to the witness for his examination, it should be admitted in evidence in the record at the proper place after it was presented to the witness.

Mr. TAVENNER. It was admitted.

Mr. BOUDIN. It was Exhibit 2, Mr. Chairman.

Mr. TAVENNER. It was admitted as Exhibit 2.

Mr. MOULDER. Well, it should have been marked as Exhibit No. 2 and received after it was submitted to the witness.

Mr. TAVENNER. I hand you a photostatic copy of an application for passport purportedly signed by you on September 26, 1946, and ask you whether or not that is the passport to which you refer.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. POPPER. Yes, that would seem to be an accurate photostatic copy.

Mr. TAVENNER. I desire to offer the application in evidence and ask that it be marked "Popper Exhibit No. 3."

Mr. MOULDER. The document referred to by counsel will be marked "Popper Exhibit No. 3" and admitted in evidence, made a part of the record.

(Document marked "Popper Exhibit No. 3" and retained in committee files.)

Mr. TAVENNER. Did you attend the meeting of the International Congress of Lawyers, in Paris?

Mr. POPPER. I did attend a meeting of lawyers. I cannot remember what the title of the conference was. But at any rate I did attend a meeting.

Mr. TAVENNER. Did you attend it as a representative of the National Lawyers Guild?

Mr. POPPER. Yes.

Mr. TAVENNER. What position did you hold in the Guild at that time?

Mr. POPPER. I was secretary of the Guild.

Mr. TAVENNER. Will you give us the names of other delegates from the National Lawyers Guild who attended the conference with you?

Mr. POPPER. No. I think that question is not pertinent. As a matter of fact, it would seem to me to indicate the validity of what the court said, that this sort of question has for its purpose nothing but exposure. It has no legislative purpose whatsoever. It is not pertinent. And, of course, all the other objections which I previously stated I also use in my defense in connection with this question.

Mr. TAVENNER. Were you a member of the Communist Party at the time of your attendance at that convention in Paris?

Mr. POPPER. I decline to answer that question upon the same grounds.

Mr. MOULDER. The committee reiterates our position in that we don't accept the answer. We make it clear that the witness should answer the question.

Mr. BOUDIN. The committee does understand the reference to the term of "the same grounds," does it not, Mr. Chairman?

Mr. MOULDER. I understand that. But we want also to have the record show that we are not accepting his responses to the questions.

Mr. TAVENNER. In July 1948, did you apply for a renewal of your passport application for the purpose of attending a conference of the International Association of Democratic Lawyers?

(Document was handed to the witness.)

Mr. TAVENNER. I have handed you a photostatic copy of such a renewal application.

(The witness conferred with his counsel.)

Mr. POPPER. That seems to be an accurate photostatic copy.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Popper Exhibit No. 4."

Mr. MOULDER. The document referred to by counsel and examined by the witness will be marked "Popper Exhibit No. 4" and admitted in evidence.

(Document marked "Popper Exhibit No. 4" and retained in committee files.)

Mr. TAVENNER. Did you attend a conference of the International Association of Democratic Lawyers, in Prague, Czechoslovakia, on September 6, 1948, traveling under the renewal of your passport?

Mr. POPPER. Yes. I can't remember the precise date, but I assume that you are correct in it because you have some information. At any rate, I did attend the conference.

Mr. TAVENNER. Were you a member of the Communist Party at the time that you were in attendance at this convention or conference?

Mr. POPPER. I decline to answer the question upon the same grounds.

Mr. TAVENNER. During a session of the conference, did you address the convention on the subject of indictments of the first-string Communist leaders in the United States, at which time you warned that "indictment of Communist leaders presages the beginning of the end of the constitutional form of government in America"?

Mr. POPPER. Well I don't recall that phrase, Mr. Tavenner. Actually, it doesn't sound like a formulation which I would make. Let me try to answer it fully, though the essence of my concern for the ill effects of that prosecution are stated correctly.

I will say this: I made a speech at that congress dealing with the general subject of the state of civil liberties in the United States. At that particular time—as a matter of fact, it was a sort of a historical and constitutional analysis of the first amendment rights as guaranteed by our Constitution; and since I did feel then, as I do feel now, that the Smith Act and the prosecutions under the Smith Act were very basic violations of first amendment rights and that, unless successfully challenged, they would endanger our constitutional scheme, I certainly included that belief in this analysis in the speech that I made.

Mr. TAVENNER. May I refresh your recollection by handing for your examination an article taken from the Daily Worker of September 9, 1948, page 2, entitled, "Europeans May Visit Trial of CP [Communist Party] Leaders," in which a proposal is alleged to have been made by you.

I have bracketed the language which I quoted in my question to you.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. TAVENNER. Will you examine that, please, and state whether or not you were correctly quoted in the matter appearing in quotations in that article?

Mr. POPPER. I think I have already answered that. I cannot possibly be responsible for a quotation in any newspaper. I say that my recollection of that speech that I made is what I told you a few moments ago.

Mr. TAVENNER. That does not suffice to refresh your recollection as to the language that you used?

Mr. POPPER. How could it possibly, Mr. Tavenner?

Mr. TAVENNER. Well, it may refresh your recollection, and I am asking you if it does.

Mr. POPPER. I am trying to answer your question as directly as I can. I cannot possibly remember the words or the phrases that I used in any speech as long ago as that. I did make a critical evaluation of the Smith Act and of the prosecutions under the Smith Act. I said to you I felt then, and I feel now, that the Smith Act is violative of our Bill of Rights and that I think it has served to endanger the freedoms of the American people. I said that in some form then and I would say it now.

Mr. TAVENNER. I desire to offer—

Mr. DOYLE. May I ask the witness a question which I think is pertinent in view of the discussion?

Does the quotation allegedly assigned to you in this newspaper article which you have just seen substantially represent any part of what you said?

Mr. POPPER. I would say that what it does represent is the fact that I was opposed to the enactment of the Smith Act, and I believed that it violates the first amendment guarantees.

Mr. MOULDER. This document referred to by counsel is a reprint from the Daily Worker of September 9, 1948. It will be marked "Popper Exhibit No. 5."

(Document marked "Popper Exhibit No. 5" and retained in committee files.)

Mr. MOULDER. The witness has read this article and examined it carefully.

As I understand you, Mr. Popper, you say that in essence this is a correct quotation or, in effect, it is a correct quotation?

Mr. POPPER. No, I haven't said that at all. I don't want to be responsible for a quotation which is a newspaper quotation. I can't possibly do that.

I am not quibbling with the committee. I told you what I feel about the Smith Act. I told you that I made a speech, part of which was devoted to my evaluation, as a lawyer, of the violations which, in my opinion, are caused by the Smith Act; why I believe it is a very bad law. That is as much as I can say.

Mr. MOULDER. In other words, it was a speech in criticism of the Smith Act and the prosecution of the Communists, American Communist leaders referred to in this article? It was a criticism of the Smith Act and a criticism of the prosecution of the Communist Party leaders referred to in this article under the Smith Act?

Mr. POPPER. That is correct. But I would say that the speech dealt with that subject in a larger context, in terms of my understanding of the meaning of the first amendment to the Constitution and how it was the cornerstone of our constitutional scheme.

Mr. BOURN. Would you excuse me a moment? I wish to consult.
(The witness conferred with his counsel.)

Mr. MOULDER. Since there have been so many questions asked about it, Exhibit 5 will be admitted into evidence and made a part of the record.

Mr. TAVENNER. Mr. Popper, at the time you made this speech at the conference of the International Association of Democratic Lawyers, you were a delegate to that conference from the Lawyers Guild and you were secretary of the Lawyers Guild, of the National Lawyers Guild. Did that represent the views or the action of the National Lawyers Guild at that time?

Mr. POPPER. In the first place, I am not certain that I was any longer secretary of the Guild at that time. I may have been, but I am not sure. I was there, however, as a representative of the Guild. The speech which I made was my own speech.

As I recall it, the National Lawyers Guild had been critical of the prosecutions under the Smith Act and had appeared as amicus curiae in some of the Smith Act cases before the courts. However, the speech was my own.

Mr. TAVENNER. Were you a member of the Communist Party at the time you made that speech?

Mr. POPPER. I decline to answer for the reasons already stated. I should like to add the fact that there are questions which I am answering in no way is intended to constitute a waiver of my fundamental objections to the authority of the committee.

Mr. TAVENNER. And is it a fact that the committee does not waive its position in refusing to accept as a valid excuse for refusal to answer the statements made by the witness?

Mr. MOULDER. That is correct. That is the position taken by the committee on all the questions which he has refused to answer, and the same direction is given.

Mr. JOHANSEN. Mr. Chairman, I think it is a matter of interest which should be underscored in the record that there is no invocation of this protest against the matter of the association in a great many areas, the National Lawyers Guild and a great many others, but it is only in connection with the Communist Party, apparently, that the invocation occurs.

Mr. MOULDER. That is an observation made by Mr. Johansen.

Mr. POPPER. May I have the opportunity to respond to the observation?

Mr. MOULDER. Yes.

Mr. POPPER. In the first place, I deem it important to emphasize, as indeed the Supreme Court has emphasized, that probably the most fundamental right of association is the right of political association, political affiliation. As a matter of fact, that is really the heart of the fundamental meaning of the rights guaranteed to the people in influencing the course of the policies of our Government.

Mr. MOULDER. In that connection, may I ask you, do you consider the Communist Party or the international Communist Party a movement in the light of political affiliation as we so consider it here in America, as we consider political association?

Mr. POPPER. I would only say this, that I believe that any inquiry or investigation into a person's membership in the Communist Party falls within the same constitutional guarantees as his membership in any other political party. That is generally the constitutional position which I take.

I believe that that is the direction which the court has taken, and I believe, as a matter of fact, that the determination of that question is probably at the center of the great concern which I and many others have had over these many years regarding the unlawful character of these inquiries.

Mr. DOYLE. May I inquire? You say the direction which the court has taken. Do you know of any decision by our high courts which holds that the Communist Party is a political party?

Mr. POPPER. Well, yes, there are such decisions.

Mr. DOYLE. My recollection is that our courts have very uniformly held that the Communist Party in this country is not a political party in the sense of the experience of the American people. It is anything but. They have generally held that it is a conspiracy.

Have you any decision to the contrary?

Mr. POPPER. Yes. I don't think that you state the law correctly.

Mr. DOYLE. I am not undertaking to state it verbatim.

Mr. POPPER. As a matter of fact, in the very area of passports, the Supreme Court in the Kent-Briehl case has said the following, and it is a short quote directly in response to what you are asking:

We deal with beliefs, with associations, with ideological matters. We must remember that we are dealing here with citizens who have neither been accused of crimes nor found guilty. They are being denied their freedom of movement solely because of their refusal to be subjected to inquiry into their beliefs and associations. They do not seek to escape the law nor to violate it. They may or may not be Communists. But assuming they are, the only law which Congress has passed expressly curtailing the movement of Communists across our borders has not yet become effective.

Let me add to that that the Congress itself, in the Internal Security Act, has quite specifically stated that membership in the Communist Party, per se, even officership in the Communist Party, per se, is not violative of criminal law.

So you see this issue—which I think has been very largely misunderstood and which I believe lies at the very heart of the problems we are confronted with here today, and have been for many years, and which I set forth with what I hope you believe, and I think you do, with earnestness and sincerity—is one that, in my opinion, requires the kind of solution which I have indicated it does by the nature of my objection.

Mr. DOYLE. I think you referred to a decision by a 5 to 4 vote?

Mr. POPPER. Yes.

Mr. DOYLE. Am I in error?

Mr. POPPER. No, you are quite correct.

Mr. TAVENNER. The portion that you read of the decision does not squarely go to the question that you have raised. But I notice that you failed to refer to Justice Jackson's decision in the Douds case, in which he specifically held that the Communist Party is not a political organization within the meaning and sense as we know it in this country. And neither have you referred to Justice Prettyman's decision in which he said that he was willing to go along with Congress in its findings as to the nature of the conspiracy in which the Communists are involved.

Mr. POPPER. Of course, the opinion you speak of was not the opinion of the court, in the first place. But since then there have been so many decisions, including most recently the Yates decision, by the

court, the decision on passport cases, the Watkins decision relating to congressional investigations, that I think that your statement is not accurate as a matter of law.

Mr. MOULDER. Lest we get into too many arguments concerning the decisions of the Supreme Court and differences of opinion about the law, you have refused to give us any answers to questions concerning your activity while over in Europe in connection with your passport. It is possible that you may have some information about your conferences and discussions with Soviet party leaders, as well as Soviet officials, while abroad concerning the Communist Party activities in this country, its objectives in connection with the international Communist movement.

You have refused to answer questions which counsel was attempting to lead up to concerning that subject and that matter, I should say.

Mr. POPPER. I would only comment that it is not correct to say that I have refused to answer questions regarding my trips abroad.

Mr. JOHANSEN. Let the record show that the chairman did not say that.

Mr. POPPER. I beg your pardon. I understood the chairman did say that, but I am perfectly willing—

Mr. MOULDER. I will ask you this question: While you were overseas, did you have conferences with any Soviet officials while in Russia?

Mr. POPPER. The question is far too vague for me to be able to answer in the first place.

Mr. MOULDER. That is a very simple question as to whether or not you had a conference with a Soviet party leader or Soviet party official.

Mr. POPPER. No, the question is not specific as to time, what trip you are talking about.

Mr. MOULDER. We will say any time while you were over in Russia, in the Soviet Union.

(The witness conferred with his counsel.)

Mr. POPPER. I see. Thus far I have been asked only about discussions relating to the possibility of discussions of an association nature, of a political nature. Those are the only questions which I have refused to answer. Therefore, what you have just said must necessarily be confined to the questions which have thus far been asked. Should I be asked questions that are not within that area but are possibly questions that I would answer, having to do with trips abroad, we would have a difficult situation.

But thus far I have only been asked questions—

Mr. MOULDER. I just asked you that question.

Mr. POPPER. What was that?

Mr. MOULDER. Whether or not any time while you were overseas and in the Soviet Union you conferred with any Soviet officials.

Mr. POPPER. I said, for instance, first while I was at Nuremberg, that I was invited to the Soviet Union by not a government official, but a member of the Soviet delegation there. I have gone abroad on legal business. And while abroad on legal business, for instance, I did discuss affairs of law, legal representation. As far as I can remember, however, while in the Soviet Union, that is to say while I was in the Soviet Union, I did discuss with one or more officials the problems connected with my legal representation.

As I say, I will certainly be glad to tell you that.

Mr. MOULDER. You say you discussed with one or more of the Soviet Union officials your problems in connection with your representation?

Mr. POPPER. Not my problems. Legal problems in connection with professional—

Mr. DOYLE. Of course, we are not interested in questioning you as to your professional representation of any client, as I see it. I am sure there was no indication by any of us that we are interested in that field, certainly.

Mr. MOULDER. Let me ask this one more question:

Did you discuss with those officials, or any other officials, the progress being made by the Communist Party in the United States?

Mr. BOUDIN. Did you say the progress, Mr. Chairman?

Mr. MOULDER. The progress of the Communist Party.

Or did you make a report or give them any information concerning the Communist Party in this country?

(The witness conferred with his counsel.)

Mr. POPPER. If you are implying or if you are asking whether I, in some official capacity, either carried instructions or anything of that kind, I did not.

If you are asking me whether I had discussions on my own with regard to politics, and so forth, I will tell you I will decline to answer such questions, because it is just another variation of the same sort of question which I have said you have no right to inquire into.

Mr. MOULDER. You referred to your problems in a legal capacity. Did you discuss with the Soviet officials the problems of the Communist Party in this country?

Mr. POPPER. I just answered that question.

Mr. DOYLE. May I ask a question that may be a little bit different? While over there in the Soviet Union, during the period we are discussing, did you discuss with Soviet Communist Party leaders or officials the activities of the Communist Party in the United States? I am not referring now to their ideology, their beliefs, but I am referring to their activities in the United States.

Mr. POPPER. Surely, Mr. Doyle, you must understand that again what you are doing is attempting to establish whether I am, or have been, a member of the Communist Party. I have respectfully declined to answer that.

Mr. DOYLE. I didn't assume that, Mr. Popper, in my question. You are an American citizen. I would assume that you would have a right to go to Europe, even to Soviet Russia, and discuss even with Soviet Communist officials, if you did it without violating your citizenship in the United States and your pledges of citizenship. I would assume that you would have a legal right to discuss, wouldn't you, the activities of the Communist Party of the United States?

Mr. POPPER. I should think I would have the right to discuss any subject of the kind you are talking about with anyone, anywhere in the world.

Mr. DOYLE. Why, then, do you object to answering my question?

Mr. POPPER. I told you why. Because your question seeks to establish whether I am or was a member of the Communist Party.

Mr. DOYLE. I am not seeking to establish that.

Mr. POPPER. That is what I understand to be the meaning of your question.

Mr. DOYLE. I will say in asking the question I am not assuming you are a Communist, no matter what I know or believe.

Mr. BOUDIN. That statement is clearly improper, Mr. Doyle. I think you know that. I suggest you withdraw it.

Mr. MOULDER. Counsel understands the rules of the committee.

I have one more question to ask the witness at this point.

While you were there in conference, as you state that you were, with Soviet officials or Soviet party leaders, did you advise them or inform them of industrial problems, economic problems, and the general philosophy of our Government as it exists in this country or any other matters concerning industrial production, unemployment, and your opinion as to the sentiment of the people of this country on those problems, aside from political affiliations, independent of what you call political affiliations?

(The witness conferred with his counsel.)

Mr. POPPER. I frankly don't understand your question. It has so many things about it that I don't know how to even approach an answer to that question.

Mr. BOUDIN. Mr. Chairman, excuse me a second.

(The witness conferred with his counsel.)

Mr. MOULDER. I think the question is quite clear.

Proceed.

Mr. JOHANSEN. Did you, at any time while you were in the Soviet Union, discuss with officials of either the Soviet Union or the Communist Party the matter of whether the Smith Act is violative of the constitutional guarantees and the Bill of Rights?

(The witness conferred with his counsel.)

Mr. POPPER. I really have no recollection of any such specific discussion on that subject, except as I have told you in relation to talking with lawyers about the subject. That is about the only thing I can recall in that line.

Mr. MOULDER. Proceed, Mr. Tavenner.

Mr. TAVENNER. I hand you a photostatic copy of an application purportedly signed by you on March 30, 1954. Will you examine it, please, and state whether or not you filed that application?

(The witness conferred with his counsel.)

Mr. TAVENNER. State also whether or not that is your signature.

Mr. MOULDER. That will be Exhibit No. 6?

Mr. TAVENNER. Yes, sir. I desire to offer the document in evidence and ask that it be marked "Popper Exhibit No. 6."

Mr. MOULDER. The record will show that the witness and counsel are examining the document referred to, that is, the witness' counsel and the witness. It is marked Popper Exhibit No. 6.

(Document marked "Popper Exhibit No. 6" and retained in committee files.)

Mr. POPPER. It looks like an accurate photostatic copy. The date of the application is March 30, 1954. I call your attention to the fact that on the front of it there is a date of July 3, 1957. I don't know the reason for that.

But at any rate I will say that is probably correct.

Mr. MOULDER. Exhibit No. 6 is admitted in evidence and will be made a part of the record.

Mr. TAVENNER. Did you receive the passport pursuant to that application?

Mr. POPPER. No.

Mr. TAVENNER. Did you receive a letter from the State Department with regard to it?

Mr. POPPER. I think I did.

Mr. TAVENNER. I hand you a photostatic copy of what is alleged to be a letter sent to you in response to your application.

Will you examine it, please?

(Document was handed to the witness.)

Mr. MOULDER. The document referred to by counsel will be marked "Popper Exhibit No. 7." The record will show the witness is examining the document.

(The witness conferred with his counsel.)

(Document marked "Popper Exhibit No. 7" and retained in committee files.)

Mr. POPPER. Yes, I believe that is the letter I received.

Mr. MOULDER. That is a true and correct copy of the letter referred to by counsel, a photostatic copy?

Mr. POPPER. It seems to me. I think it is correct.

Mr. MOULDER. Exhibit No. 7 is admitted in evidence and made a part of the record.

Mr. TAVENNER. I desire to read the letter into evidence. This is a letter from R. B. Shipley, Director, Passport Office. It is under date of June 4, 1954, and it is addressed to Mr. Martin Popper, 860 Riverside Drive, New York, N.Y.:

DEAR MR. POPPER: I regret to inform you that after careful consideration of your application for passport facilities which you executed on March 30, 1954, the Department of State is obliged to disapprove your application tentatively on the ground that the granting of such passport facilities is precluded under the provisions of Section 51.135 of Title 22 of the Code of Federal Regulations. A copy of the pertinent Regulations is enclosed for your information.

In cases coming within the purview of the Regulations above referred to, it is the practice of the Department to inform the applicant of the reasons for the disapproval of his request for passport facilities insofar as the security regulations will permit. In your case it has been alleged that you were a Communist.

The Department has concluded that your case also falls within the scope of subsection (b) of Section 51.135 as that subsection is amplified by subsection (b) of Section 51.141 of the aforementioned regulations. The opinion of the Department is that the evidence indicates on your part a consistent and prolonged adherence to the Communist Party line on a variety of issues and through shifts and changes of that line during a period of many years. It has been alleged that you were a member of the National Lawyers Guild and represented that organization at a meeting of the National Delegation of Democratic Lawyers held in Prague commencing on September 6, 1948. It was also alleged that you were a sponsor of the Pro-Soviet Cultural and Scientific Conference for World Peace held at New York City on March 25, 1949, and that you were a moderator on the topic "Peace and Civil Rights" on June 7, 1949, at the Citizens Conference for Peace which was held on June 7, 8, 1949, at New York City. It was further alleged that you were selected by the Communist Party to endeavor to influence Judge Medina to grant a motion for mistrial in the trial of the 11 Communists, and that you helped prepare the brief in support of the motion to stay execution of judgment for contempt of the lawyers who participated in the trial of the 11 Communist leaders. You were reported to have attended the celebration of the 30th anniversary of the founding of the Republic of Czechoslovakia on October 28, 1948, and you also accepted an invitation to the 31st anniversary of the October Revolution held at the Soviet Embassy on November 7, 1948. You were alleged to have been active in endeavoring to prevent the enactment of the Mundt-Nixon Bill and you were reported to have signed an open letter to Senators and Congressmen urging the defeat of President Truman's arms program. Your connection with the National Council of the Arts, Sciences and Professions is also said to have followed the Communist Party line.

You are also alleged to have been a member of the Board of Directors of the American Committee for the Protection of Foreign Born, a member of the Executive Committee of the National Federation for Constitutional Liberties, and a member of the Civil Rights Congress. The above-named organizations have been cited by the Attorney General as subversive and Communistic.

It is also alleged that you have spoken in favor of the Communist movement and have been closely associated with known Communists.

Under Section 51.137 of the Regulations you may present your case and all relevant information informally to the Passport Office. If you desire to take advantage of this provision you may appear before a hearing officer of the Passport Office and you may be represented by counsel. In any event you will be required to submit a sworn statement whether you are now or ever have been a Communist.

If you do not desire a hearing, the Department will give consideration to any written statement under oath which you may desire to submit concerning the matter, provided that you include therein a statement as to whether you are now or ever have been a Communist.

You are assured that any information or evidence which you may supply will receive most careful consideration—

and so forth.

Mr. BOUDIN. Have you read the entire letter?

Mr. TAVENNER. No.

Mr. BOUDIN. Is there a reason?

Mr. TAVENNER. No. I will read it. I was just looking at it.

and that every effort will be made to act upon your application promptly and justly. The Department desires to emphasize that the passport records are confidential Government records and any information which you may submit or which may be received from other sources in connection with your application will not be made known to the public or to any unauthorized person unless you release it. The Department reserves the right to disclose factual information to supplement or correct any statement which a passport applicant may release for publication concerning the reasons why he was denied a passport or the Department's action in his case.

If a reply to this letter is not received within thirty days it will be assumed that you do not wish to have your case reconsidered at this time.

Sincerely yours,

For the Secretary of State:

R. B. SHIPLEY,
Director, Passport Office.

You did not reply to that letter, did you?

Mr. PORRER. No, that is not accurate.

It would seem to me the fact that you do not know that I made a response to that would indicate that the policies which the Department says it carries out in that letter have been violated in a number of ways. It is, I might say, a very shocking thing for a citizen to come before this committee and find that what the Department itself indicated would be confidential communications between it and citizens are disclosed for purposes such as this hearing. The fact is that I made the following response:

I met with a representative of the Department and told him why I believe that the denial of the passport on the grounds set forth were unlawful, and why they violated my rights in several different respects.

I filed a brief in support of my legal position. I also responded quite specifically, and I wish to today, to two allegations relating to my professional activities, one which makes the statement, unfounded in fact as far as I can tell, that I had anything whatsoever to do with any effort to influence Judge Medina in connection with the trial which he was then conducting. The undisputed fact is that I never did any such thing or had anything to do with any such thing.

I respond to that because it deals with my professional activity, my professional conduct. But it is a sign of irresponsibility of a Government agency that it should make a statement of that kind regarding a lawyer.

I also responded directly to the other allegation regarding professional activity on my part, which was based, among other things, in the refusal to give me a passport, namely that I filed a brief, or something to that effect, in support of a lawyer or lawyers who were appealing from a conviction of contempt of court. I pointed out to the Department that indeed I was the lawyer in one stage of the proceeding and argued the case before a member of the United States Supreme Court, and that to assert that as a ground for denial of a passport shows how far they were going in those days.

In any event, I am very glad, of course, as are so many other American citizens, that the power asserted by the Department in those days has been held finally to be unlawful.

Mr. TAVENNER. Were you employed by the Communist Party to perform any function in the Smith Act trial or of any of the attorneys charged with contempt in that case?

(Witness conferred with his counsel.)

Mr. POPPER. The question is a most improper one as to who employs a lawyer or retains a lawyer. That is certainly not pertinent to any investigation this committee has a right to make. But the fact of the matter is I was retained by the defendants in that contempt of court proceeding.

Mr. DOYLE. May I inquire? Was the Communist Party a defendant in that proceeding?

Mr. POPPER. No.

(The witness conferred with his counsel.)

Mr. POPPER. The Communist Party was not a defendant.

Mr. DOYLE. I felt that my question was proper in view of your observation.

Mr. POPPER. As I say, I don't think that any of these questions are proper, but they deal with an area of my professional relationship and also what the State Department said about it.

The defendants in that case were the lawyers and Eugene Dennis, who was acting on his own behalf during the trial. He was pro se.

Mr. TAVENNER. Were you a member of the Civil Rights Congress prior to that time or at that time?

Mr. POPPER. Well, you know, I don't recall that. I know there was such an assertion made, but I don't recall whether or not I was ever a member of the Civil Rights Congress. I cannot either affirm or deny that, because I really don't know. I don't remember.

Mr. TAVENNER. Were you a member of the executive committee of the National Federation for Constitutional Liberties?

Mr. POPPER. Well, I don't know that either. I don't recall that I was ever in that position.

But I really don't know. I can't recall whether I was a member of the board of directors or not.

Mr. TAVENNER. Were you affiliated with the National Council of the Arts, Sciences and Professions?

Mr. POPPER. Yes.

Mr. TAVENNER. Were you a member of the Communist Party in 1954 when you made this application for a passport?

Mr. POPPER. I decline to answer that question upon the same grounds.

Mr. TAVENNER. Did you make application for an additional passport prior to April 1956 for the purpose of visiting the Soviet Union, Czechoslovakia, Rumania, and Hungary?

Mr. POPPER. Prior to 1956?

Mr. TAVENNER. Yes.

Mr. POPPER. I will have to have my recollection refreshed.

Mr. BOUDIN. Have you an application there which will guide us as to date, et cetera, Mr. Tavenner?

Mr. TAVENNER. The date does not appear, but there is a statement that you plan to travel prior to April 29, 1956. It is not signed.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. POPPER. That seems to be an unsigned application.

Mr. TAVENNER. Yes; I said it was an unsigned application. I ask you if you did apply.

Mr. POPPER. I think this does refresh my recollection.

I think I applied for a passport in 1956 for the purpose of making a business trip, and I think it was a request for a passport for a limited period of time. I don't know whether that appears on here or not.

Yes; it does—3 to 4 months. I said that was the length of stay.

I think I did, as a matter of fact, ask for that if they would not give me one for two years.

Mr. TAVENNER. Was that application denied?

Mr. POPPER. Well, if it can be said to be an application it was denied. The only point I am making is that it was not signed. So I don't know what the formal status of the application was. But I think it was denied, however.

Mr. TAVENNER. Didn't you receive a letter from Frances G. Knight, Director of Passport Office, dated April 23, 1956, denying specifically the application?

I hand you the letter for your examination.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. POPPER. Yes, I think that is accurate.

Mr. TAVENNER. I desire to offer the letter in evidence and ask that it be marked "Popper Exhibit No. 8."

Mr. MOULDER. The document referred to will be marked "Exhibit No. 8" and admitted into evidence.

(Document marked "Popper Exhibit No. 8" and retained in committee files.)

Mr. TAVENNER. I will quote this from the letter:

This action is predicated upon information reflecting membership in the Communist Party and participation over a span of years in the activities of Communist front organizations. The Department has reason to believe that your proposed travel would further the cause of the world Communist movement. The Department feels, therefore, that the extension of passport facilities to you would be contrary to the national interest.

Were you a member of the Communist Party at that time, April 23, 1956?

Mr. POPPER. I respectfully decline to answer upon the same grounds.

Mr. TAVENNER. Had you been a member of the Communist Party at any time prior to that?

Mr. POPPER. I respectfully decline to answer that question upon the same grounds.

Mr. MOULDER. At this point, ask him if he is a member of the Communist Party now.

Are you now a member of the Communist Party, Mr. Popper?

Mr. POPPER. I respectfully decline to answer upon the same grounds.

Mr. TAVENNER. Mr. Popper, there was a witness before this committee in December 1955 by the name of Mr. Mortimer Riemer. Mr. Riemer had been a member of the Communist Party of New York. He was a lawyer. He advised this committee of the circumstances relating to his becoming a member of the Communist Party and the reasons for his getting out of the Communist Party. He was the first secretary of the National Lawyers Guild.

He gave this committee considerable information regarding the organization, the initial organization, of the National Lawyers Guild.

I asked him to describe the Communist Party group to which he was first assigned. He said it was a group composed exclusively of lawyers in New York City. He identified some of those.

In one statement he identified Martin Popper, Alex Racobin,² and Harry Sacher as members of that group with him.

Was he correct in identifying you as a member of that group of the Communist Party?

Mr. BOUDIN. Could I see the testimony referred to?

Mr. TAVENNER. Yes, sir.

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. POPPER. I decline to answer that question upon the same grounds.

Mr. TAVENNER. May I have a direction that he answer?

Mr. MOULDER. The witness is directed to answer the question.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. Any questions, Mr. Doyle?

Mr. DOYLE. No questions.

Mr. MOULDER. Mr. Johansen?

Mr. JOHANSEN. No questions.

Mr. MOULDER. The witness is excused.

Mr. TAVENNER. Mr. Victor Michael Berman, will you come forward please?

Mr. MOULDER. Be sworn, please.

Do you solemnly swear that the testimony which you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God? 11-11-61 6-5-1951

Mr. BERMAN. Yes, sir.

**TESTIMONY OF VICTOR MICHAEL BERMAN, ACCOMPANIED BY
COUNSEL, LEONARD B. BOUDIN**

Mr. TAVENNER. What is your full name, please, sir? 13-2-8-1931 N.Y.C., N.Y.

Mr. BERMAN. Victor Michael Berman.

Mr. TAVENNER. It is noted that you are accompanied by counsel.

² This is a reference to Alex Racolin.

Will counsel please identify himself for the record?

Mr. BOUDIN. Leonard B. Boudin, 25 Broad Street.

Mr. TAVENNER. When and where were you born, Mr. Berman?

Mr. BERMAN. In New York City, February 8, 1931.

Mr. TAVENNER. Where do you now reside?

Mr. BERMAN. 90 LaSalle Street, New York City.

Mr. TAVENNER. What is your present occupation?

(The witness conferred with his counsel.)

Mr. BERMAN. I am unemployed at present.

Mr. TAVENNER. Mr. Berman, will you state briefly your educational background?

Mr. BERMAN. No, sir. I decline to answer on the grounds of my constitutional privilege under the fifth amendment; my rights under the first amendment; also on the grounds that the committee has no jurisdiction to ask me these questions; and, lastly, on the grounds this question does not have any pertinence to your present investigation.

Mr. TAVENNER. Are you at present a student at Howard University?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. With regard to pertinency, you were present when the chairman read the purpose of this meeting from his opening statement and the committee resolution?

Mr. BERMAN. Yes, sir, I was.

Mr. DOYLE. And you were present also and within hearing distance and did hear our committee counsel explain to the previous witness the pertinency of this same line of questions, did you not?

Mr. BERMAN. Yes, sir.

Mr. TAVENNER. I hand you a photostatic copy of a passport application purportedly signed by Victor M. Berman under date of September 8, 1958. I will ask you if that is a copy of your application and if that appears to be your signature.

(The witness conferred with his counsel.)

(Document handed to the witness.)

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Berman Exhibit No. 1."

Mr. MOULDER. The document referred to by counsel will be marked "Berman Exhibit No. 1" and is admitted in evidence.

(Document marked "Berman Exhibit No. 1" and retained in committee files.)

Mr. MOULDER. The witness is advised that the response made to the question propounded by counsel is not acceptable to the committee, and you are directed to answer the question.

Mr. BERMAN. I decline for the same reasons.

Mr. TAVENNER. Did I understand that you refuse to state whether or not the signature to this application is your signature?

(The witness conferred with his counsel.)

Mr. BERMAN. Yes, sir, I do.

Mr. TAVENNER. Underneath the photograph on the passport application there are three questions:

Are you now a member of the Communist Party?

Have you ever been a member of the Communist Party?

If ever a member, state period of membership.

All three of those questions fail to have been answered.

Will you tell the committee, please, whether you were a member of the Communist Party on September 8, 1958?

Mr. BERMAN: I decline to answer on the same grounds.

Mr. MOULDER. Counsel's inquiry regarding the questions which you failed to answer refer to the questions on Exhibit 1, the application for passport. That is the application you signed, isn't it?

Mr. BERMAN. I have already declined to answer that question.

Mr. MOULDER. You also decline to answer the question as to whether or not you answered the questions concerning your Communist Party activities or affiliations referred to in Exhibit No. 1; is that correct?

Mr. BERMAN. I have so declined.

Mr. TAVENNER. The committee's investigation indicates that you were issued on June 28, 1949, a passport. Did you receive it?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Have you traveled abroad on any passport?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party on June 28, 1949?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. MOULDER. As I understand, you are claiming the first and fifth amendments?

Mr. BERMAN. I am claiming the first and fifth amendments. I am claiming lack of jurisdiction of the committee, and I am claiming lack of pertinency of these questions to the investigation.

Mr. TAVENNER. I offer in evidence passport application bearing date of June 24, 1949, and ask that it be marked "Berman Exhibit No. 2."

Mr. MOULDER. The document referred to by counsel will be marked "Berman Exhibit No. 2" and admitted in evidence and made a part of the record.

(Document marked "Berman Exhibit No. 2" and retained in committee files.)

Mr. DOYLE. May I see the application to ask a question?

There is a picture here. I am looking at the picture and then I am looking at the witness. In my judgment, there is no question that the picture is a picture of this witness.

Mr. MOULDER. Proceed, Mr. Tavenner.

Mr. TAVENNER. Did you travel under the 1949 passport to Hungary?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Weren't you, as a matter of fact, a delegate to the World Youth Festival which was held in Budapest, in August of 1949?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. MOULDER. You are again directed to answer the questions which counsel is asking.

Mr. TAVENNER. I hand you an account of that festival, written by Vic Reinemer, entitled "How Our Commies Defame America Abroad."

The author, a graduate of Montana University, relates the appalling things he saw and heard as a delegate to the widely advertised students' "Peace" rally in Budapest. A factual report that will astonish—and anger—you.

Have you read that?

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. MOULDER. The record should show that counsel handed the witness the pages cut from a newspaper or magazine containing the article referred to in his question.

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Mr. Chairman, the paper is too long to attempt to read it in light of the circumstances which have just developed, but I would like for the committee to read it when it has an opportunity.

Mr. MOULDER. Are you asking that it be placed in the record?

Mr. TAVENNER. No, sir. I would like to have it marked for identification.

Mr. MOULDER. The document referred to by counsel is marked "Berman Exhibit No. 3" for identification only, and will be filed as a part of this proceeding.

(Document marked "Berman Exhibit No. 3" and retained in committee files.)

Mr. TAVENNER. Were you acquainted with Roosevelt Ward, a member of the Communist Party from the United States who was chairman of the Resolutions Committee [of the American delegation] at that Festival?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Did you support and endorse the resolutions introduced by the American delegation?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Did you take part in the preparation of an exhibit entitled, "A Manifesto to Truman," which was a protest against the warlike policy of the Government, the American Government?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Mr. Berman, did you serve as chairman of the Student Branch of the Communist Party at the University of Colorado in 1949?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Were you affiliated with the Bill Haywood Branch of the Communist Party in Boulder, Colo., at any time between 1949 and 1953?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Was your membership transferred from the Communist Party in Colorado to the New York section of the Communist Party in 1954?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. As a means of effecting your transfer, was a United States dollar bill used as the medium in which the identification number on the bill was the method of identification?

Mr. BERMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BERMAN. I decline to answer that question on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. MOULDER. Mr. Johansen?

Mr. JOHANSEN. Have you ever been a member of the Armed Forces?
(The witness conferred with his counsel.)

Mr. BERMAN. No, I was not, sir.

Mr. JOHANSEN. That is all.

Mr. DOYLE. Was it on the grounds of physical disqualification?
(The witness conferred with his counsel.)

Mr. BERMAN. Yes, sir.

Mr. MOULDER. The committee will recess until 2 p.m. this afternoon.
(Members of the subcommittee present at the taking of the recess were Representatives Moulder, Doyle, and Johansen.)

(Whereupon, at 11:55 a.m., Friday, June 5, 1959, the subcommittee recessed, to reconvene at 2 p.m., the same day.)

AFTERNOON SESSION, FRIDAY, JUNE 5, 1959

(The subcommittee reconvened at 2 p.m. in the Caucus Room of the Old House Office Building, Hon. Morgan M. Moulder, chairman of the subcommittee, presiding.)

Mr. MOULDER. The committee will be in order.

(Members of the subcommittee present at the convening of the afternoon session were Representatives Moulder, Doyle, and Johansen.)

Mr. MOULDER. Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Sidney Efross, please come forward.

Mr. MOULDER. Be sworn, please.

Do you solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EFROSS. I do.

HCUA 6-5 1959 DC

TESTIMONY OF SIDNEY T. EFROSS, ACCOMPANIED BY COUNSEL,
JOSEPH FORER

Mr. TAVENNER. Would you state your full name, please, sir?

Mr. EFROSS. Sidney Efross.

Mr. TAVENNER. What is your middle name?

Mr. EFROSS. Tzvie.

Mr. TAVENNER. T-z-v-i-e?

Mr. EFROSS. Yes.

Mr. TAVENNER. And your last name?

Mr. EFROSS. Efross.

Mr. TAVENNER. And how do you spell it?

Mr. EFROSS. E-f-r-o-s-s.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. FORER. Joseph Forer, 711 14th Street NW., Washington, D.C.

Mr. TAVENNER. When and where were you born, Mr. Efross?

Mr. EFROSS. Washington, September 25, 1923.

Mr. TAVENNER. Washington, D.C.?

FOREIGN

mid

Mr. EFROSS. D.C., yes.

Mr. TAVENNER. Would you briefly outline your educational background, please?

Mr. EFROSS. I went to public school in Washington, high school in Washington, graduated from the University of Maryland while I was in the Army.

Mr. TAVENNER. What was the date of your graduation?

Mr. EFROSS. Well, it would have been in 1943 after I was drafted. I was drafted in February 1943.

And took graduate work at Columbia University after I got out of the Army. I got an M.A. degree there.

Mr. TAVENNER. In your undergraduate work at Maryland, what was your major?

Mr. EFROSS. Economics.

Mr. TAVENNER. And did you take your master's degree in economics?

Mr. EFROSS. Yes.

Mr. TAVENNER. When did you get your master's degree?

Mr. EFROSS. I think that was 1947, if I am not mistaken. It was about two years after I got out of the Army.

Mr. TAVENNER. Will you outline for the committee your occupational background?

(The witness conferred with his counsel.)

Mr. EFROSS. I decline to answer that question on the following grounds: Firstly, I don't think that the question is relevant to the committee's jurisdiction; secondly, I think the committee is an unconstitutional body and is violating my rights under the first amendment; and thirdly, I claim my privilege under the fifth amendment not to be a witness against myself.

Mr. TAVENNER. How are you now employed?

Mr. EFROSS. I am a painter.

Mr. TAVENNER. How long have you been a painter?

Mr. EFROSS. About five years.

Mr. TAVENNER. Prior to that what was your employment?

Mr. MOULDER. What kind of painting? When we say a painter, we mean a house painter.

Mr. EFROSS. That is what I mean, too.

Mr. FORER. The other kind is an artist.

Mr. MOULDER. Thank you.

Mr. EFROSS. I would like to claim that.

Mr. TAVENNER. So that is for five years. That is back to about 1954?

Mr. EFROSS. That is right.

Mr. TAVENNER. Where did you live prior to 1954?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. What was your occupation prior to 1954?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. In January 1953, did you file an application for a United States passport?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. I hand you a photostatic copy of an application for passport, bearing the date of January 13, 1953, over the purported signature of Sidney T. Efross.

Will you examine it, please, and state whether or not that is your signature?

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. MOULDER. The record should show that Witness Efross is examining the document referred to by Mr. Tavenner.

It will be marked "Efross Exhibit No. 1."

(Document marked "Efross Exhibit No. 1" and retained in committee files.)

Mr. MOULDER. Show at the beginning of this session, that all members of the subcommittee are present, Mr. Reporter.

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Mr. Efross, this photostatic copy of an application for passport shows that the person making it proposed to stay abroad a period of 1 month, and to visit England, France, Italy, and Belgium, while traveling as a tourist.

Did you seek permission to travel abroad in those countries?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. It is noted on the passport that the occupation of warehouseman is given by the person whose name is signed to this application. Were you a warehouseman in 1953?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. MOULDER. Does the application show the signature of the applicant, Mr. Tavenner? If so, would you spell it for the record?

Mr. TAVENNER. The signature appearing is S-i-d-n-e-y T. E-f-r-o-s-s.

Mr. MOULDER. That is the signature that appears upon the photostatic copy designated as Efross Exhibit No. 1?

Mr. TAVENNER. Yes, sir.

Mr. DOYLE. That application appears to me to have a pretty good picture of the witness.

Mr. MOULDER. What is your full name?

Mr. EFROSS. Sidney Tzvie Efross.

Mr. MOULDER. I didn't hear the middle name.

Mr. EFROSS. It is the Hebrew for the word "Hersh," which means "Dear."

Mr. TAVENNER. The first letter is T?

Mr. EFROSS. That is correct.

Mr. TAVENNER. The middle initial of your name is T, which is the same as appears on the application.

I hand you the document again and ask you to look at the photograph and state whether or not it is your photograph.

(Document was handed to the witness.)

Mr. FORER. Did you say this was a good likeness?

Mr. DOYLE. I think he could be identified from that very nicely.

Mr. EFROSS. I refuse to answer on the same grounds.

Mr. DOYLE. I didn't ask you any question.

Mr. EFROSS. Mr. Tavenner did.

Mr. TAVENNER. Were you issued a passport?

Mr. EFROSS. I refuse—no, I was not.

Mr. TAVENNER. You were not.

Did you receive a letter dated March 25, 1953, signed by R. B. Shipley, Director, Passport Office, directed to you at 980 Belmont Avenue, Brooklyn 8, New York, denying you a passport?

Mr. FORER. May we get a look at that?

(Document handed to witness and counsel.)

Mr. TAVENNER. I have handed a photostatic copy of the letter to the witness to refresh his recollection.

Mr. MOULDER. The document referred to by counsel will be marked "Efross Exhibit No. 2."

(Document marked "Efross Exhibit No. 2," and retained in committee files.)

Mr. MOULDER. The record should show that the witness and the counsel are examining the document.

(The witness conferred with his counsel.)

Mr. EFROSS. I decline to answer on the same grounds.

Mr. MOULDER. May I inquire at this point?

You say you were not issued a passport?

Mr. EFROSS. Yes.

Mr. MOULDER. Did you make an application for a passport?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. MOULDER. How could you be denied unless you made an application for a passport?

Mr. EFROSS. I said I was not issued one.

Mr. MOULDER. You said you were refused one.

Mr. EFROSS. No, I said I was not issued one.

Mr. JOHANSEN. Were you refused one?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Were you not advised by R. B. Shipley as follows:

In cases coming within the purview of the Regulations above referred to, it is the practice of the Department to inform the applicant of the reasons for the disapproval of his request for passport facilities insofar as the security regulations will permit. In your case it has been alleged that you were a Communist.

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party on the 13th day of January 1953?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Did you, either by letter or any verbal statement, deny to any agent of the Passport Office of the State Department that you had been a member of the Communist Party?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. While living in Washington, did you become acquainted with Mrs. Mary Markward?

(The witness conferred with his counsel.)

Mr. EFROSS. I decline to answer on the same ground.

Mr. TAVENNER. Were you in the Armed Forces of the United States?

Mr. EFROSS. Yes, sir.

Mr. TAVENNER. During what period of time?

Mr. EFROSS. 1943 through December 1955.

Mr. TAVENNER. Did you return to Washington after the completion of your service?

Mr. EFROSS. Yes.

Mr. TAVENNER. And what was that date?

Mr. EFROSS. Well, that would have been when I was discharged, which I believe was December 1945.

Mr. TAVENNER. 1945?

Mr. EFROSS. Yes.

Mr. JOHANSEN. I believe the witness misspoke, or I misunderstood him. I thought he stated that the date of his military service was 1943 to 1955.

Mr. EFROSS. No. 1945.

Mr. TAVENNER. I understood 1955.

Mr. EFROSS. I am sorry.

Mr. JOHANSEN. Did you, as a member of the armed services, or when entering the armed services, sign a non-Communist affidavit? (The witness conferred with his counsel.)

Mr. EFROSS. I frankly don't know.

Mr. JOHANSEN. As a matter of fact, I am certain that you did, or at least that was required.

Mr. EFROSS. I don't believe it was at that time, as a matter of fact. But I am actually not certain.

Mr. JOHANSEN. It could be that that was not the case at that time.

Were you a member of the Communist Party at the time you joined or during your service in the Armed Forces?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Mr. Efross, I hand you a photostatic copy of an application for employment with the National Tube Company of Lorain, Ohio. It is over the purported signature of Sidney T. Efross.

Will you examine it, please?

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. FORER. Has this something to do with passports?

(The witness conferred with his counsel.)

Mr. EFROSS. Just out of curiosity, I would like to know what this has to do with the passport hearing.

Mr. TAVENNER. Well, if it is mere curiosity, I am not going to answer it.

Mr. EFROSS. Well, should I answer for any other reason?

Mr. MOULDER. Let the record show that this document is marked "Efross Exhibit No. 3."

(Document marked "Efross Exhibit No. 3" follows:)

(The witness conferred with his counsel.)

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. May I have a direction that the witness be required to answer the question?

Mr. MOULDER. The witness is directed to answer.

(The witness conferred with his counsel.)

Mr. EFROSS. I am sorry?

Mr. MOULDER. The committee refuses to accept your reasons for refusing to answer, and you are directed to answer the question.

Mr. EFROSS. I abide by my refusal. I can't see that it has any relevancy to anything that the committee might question me about.

Mr. TAVENNER. The pertinency of the question is explained to you this way: First of all, let me ask you if you were present this morning when the chairman read the opening statement and the resolution of the committee.

Mr. EFROSS. Yes, sir.

Mr. TAVENNER. I think I saw you present.

Mr. EFROSS. Yes, that is correct.

Mr. TAVENNER. It is hardly necessary to explain anything further except this, that the committee, in reviewing the action of the State Department in regard to the application which has been introduced in evidence as Efross Exhibit No. 1, was entitled to certain information relating to you. The question is pertinent because it relates to information regarding you, which it had a right and a duty to consider in connection with its passing on your application for a passport.

Now will you answer the question, please?

(The witness conferred with his counsel.)

Mr. TAVENNER. I may add in addition, however, that the information itself is important because it helps to frame, within the proper picture, the problem that the State Department is faced with in this field, a field in which this committee is considering the recommendation of legislation in order to give statutory effect to regulations that were in existence and which now have been declared invalid by the Supreme Court.

Mr. EFROSS. I refuse to answer on all the grounds I stated before, but just as a matter of fact, it seems to me that application is after my purported passport application, so I do not see how it could have any relevance to that at all.

Mr. TAVENNER. Let us see if it does. We will pursue that further.

Mr. JOHANSEN. Of course, if it did have relevance, you would still give the same answer. I am sure of that.

Mr. TAVENNER. It is noted that on this application you state the amount of education that you had, grade school nine years; high school three years.

Why didn't you give on your application the fact that you had majored in economics at Maryland University and had received your master's degree at Columbia?

(The witness conferred with his counsel.)

Mr. EFROSS. The question assumes something to which I haven't testified, that is, that that is my application.

Mr. MOULDER. Is this an application, this document referred to as Efross Exhibit No. 3?

Mr. TAVENNER. An application for employment.

Mr. MOULDER. Would you hand it to him, Mr. Tavenner?

Mr. TAVENNER. I did hand it to him.

Mr. EFROSS. I have seen it.

Mr. MOULDER. I want you to examine it and tell me and tell the committee what it is.

Mr. EFROSS. I decline to answer on the grounds that I have already stated.

Mr. MOULDER. You have examined the document?

Mr. EFROSS. Yes.

Mr. MOULDER. And isn't it a fact that it is an application for employment?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. MOULDER. The question of Mr. Tavenner is whether or not at the time you made that application, in the application you stated that your education only extended through three years of high school, when, at that time, you were a graduate of Maryland University.

Is that correct, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

Mr. EFROSS. It seems to me that the question is still assuming that that is my application. I haven't testified that it is. I don't see how I can answer that question.

Mr. MOULDER. Did you see the signature on the application?

Mr. EFROSS. Yes.

Mr. MOULDER. Is that a correct photostatic copy of your signature?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. JOHANSEN. Do you honestly apprehend that if you told this committee if it is a fact that this is an application which you filed for employment, that that would tend to incriminate you and make you subject to criminal charges?

(The witness conferred with his counsel.)

Mr. EFROSS. It is possible.

Mr. TAVENNER. The real reason for your refusal to answer my question as to whether or not you concealed the true state of your educational qualifications is because you were a colonizer in the Communist Party, isn't that true?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Weren't you selected and counseled or directed as a well-educated, highly advanced type of individual to go into the shops for the purpose of colonizing for the Communist Party, as we have heard in so many other cases before this committee?

Mr. FORER. How does he know what you have heard in other cases before the committee? You can't make that part of your question.

Mr. TAVENNER. I am sure he has heard of colonizing. If he hasn't, let him deny it. You know what colonization means, don't you?

Mr. EFROSS. Well, I read the papers, but I decline to answer the question on the same grounds.

Mr. TAVENNER. Haven't you refused to tell this committee in what business you were engaged prior to 1954 because of the fact that you were a colonizer in industry for the Communist Party?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Did you reside in Lorain, Ohio?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. You have told us the period you lived in Washington. Why will you not tell us the period in which you lived in Lorain, Ohio, if you did?

(The witness conferred with his counsel.)

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Weren't you a member of the Communist Party while you were employed at the National Tube Company in Lorain, Ohio?

Mr. EFROSS. I decline to answer on the same ground.

Mr. TAVENNER. Weren't you, in fact, the chairman of the steel club of the Communist Party in Lorain, Ohio?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Have you adopted at any time a name other than that which you have given to this committee today?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. DOYLE. Mr. Chairman, I move he answer that question because that is a matter of identity.

Mr. MOULDER. The witness is directed to answer.

Mr. DOYLE. Whether or not your client has used some phony name other than his own name is a matter of identity.

Mr. FORER. And you think that identity can never be incriminating in the light of the fifth amendment; is that the idea?

Mr. DOYLE. Your witness apparently thinks if we had his identity it might be incriminating.

Mr. FORER. Is the witness directed to answer?

Mr. MOULDER. He claimed the fifth amendment, as I understand it.

Mr. FORER. Yes.

Mr. MOULDER. At the request of Mr. Doyle, the witness is directed to answer, but I assume he will refuse on the same ground.

(The witness conferred with his counsel.)

Mr. EFROSS. I decline to answer for the same reasons.

Mr. TAVENNER. Have you engaged in teaching of any kind, of any type?

(The witness conferred with his counsel.)

Mr. EFROSS. I decline to answer for the same grounds.

Mr. TAVENNER. Do you know a person by the name of Frank Peoples?

Mr. EFROSS. I decline to answer on the same ground.

Mr. TAVENNER. Mr. Chairman, Frank Peoples was subpoenaed to be here at this hearing. He was here yesterday. There was a death in his family. He is attending the funeral of his brother today. So it was necessary that we take a short statement from him of matters that we had proposed to produce him for here before the committee.

Before proceeding with that, I want to hand the witness a photograph and ask him to state whether or not he admits it is a photograph of him.

(Photograph was handed to the witness.)

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. I desire to offer it in evidence and ask that it be marked "Efross Exhibit No. 4."

Mr. MOULDER. The photograph referred to by counsel will be marked "Efross Exhibit No. 4" and admitted in evidence, made a part of the record.

(Photograph marked "Efross Exhibit No. 4" and retained in committee files.)

Mr. MOULDER. In fact, all of the exhibits heretofore submitted to the witness will be admitted in evidence and made a part of the record at the proper place in the record.

Mr. DOYLE. Mr. Chairman, at this point I ask you to engage in observing this photograph just identified and look at the witness a few feet from us. Look at this picture.

I submit it is as clear as crystal a picture of this witness. There is a number on it, 81966. I don't know what that refers to.

Mr. TAVENNER. Mr. Chairman, the witness Frank Peoples testified that he lived at Lorain, Ohio, where he was employed as a steel-worker; that he had been a member of the Communist Party there, and during the period of his membership had been regularly furnishing information to the Federal Bureau of Investigation.

Now I would like to read you part of his testimony:

Mr. APPELL. I should like to hand you an employment photograph taken by the National Tube Co., of Lorain, Ohio, of an employee, Sidney Efross, and ask you if you knew this individual at any time.

Mr. PEOPLES. Yes, I recognize him.

Mr. APPELL. Would you tell the committee what knowledge you possess of Sidney Efross?

Mr. PEOPLES. Well, I knew him only as "Sidney." I did not know him by his last name; and how I came to know Sidney was through my affiliation with the Communist Party.

Mr. APPELL. Was Sidney, like yourself, a member of the Communist Party of Lorain, Ohio?

Mr. PEOPLES. Yes, sir, he was.

Mr. APPELL. To what group of the Communist Party was Sidney Efross assigned, to the best of your knowledge?

Mr. PEOPLES. The steel group.

Mr. APPELL. To your knowledge, did this individual whom you knew as "Sidney" ever hold an office within the Communist Party of Lorain, Ohio?

Mr. PEOPLES. Yes, he did.

Mr. APPELL. As a result of the security regulations of the Communist Party, the larger steel group, as I understood it, was broken up into smaller groups, with each of the groups having a captain.

Mr. PEOPLES. That is correct.

Mr. APPELL. After the breakdown, did the captains of the smaller groups within the steel club of the Communist Party then meet to discuss Communist Party strategy as it affected the steel club?

Mr. PEOPLES. That is correct.

Mr. APPELL. Did you as captain of one group meet with Sidney as captain of another group in the captains' meetings?

Mr. PEOPLES. Yes, I did, a number of times.

Mr. APPELL. Mr. Peoples, the Communist Party of the United States ceased reregistration of membership at different periods following the indictment of the first-string Communist leaders. Did the Lorain section reregister its membership in 1949 for the year 1950?

Mr. PEOPLES. Yes, they did.

Mr. APPELL. Do you possess any knowledge as to whether Sidney Efross, whom you knew only by the name of Sidney, was reregistered by the Lorain Communist Party for the year 1950?

Mr. PEOPLES. Yes, he was.

Was Mr. Peoples' identification of you as a member of the steel club of the Communist Party correct?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. Any questions, Mr. Doyle?

Mr. DOYLE. I have a couple.

Have you any application for a passport now pending before the State Department?

Mr. EFROSS. No.

Mr. DOYLE. May I ask committee counsel this question: Mr. Tavenner, is the picture which you have referred to as having been identified by Mr. Peoples in that statement, the same picture which has been introduced here as Efross Exhibit No. 4? Is that the employment picture?

Mr. TAVENNER. That is the employment photograph of the individual.

Mr. DOYLE. Will you remind me of the dates, please, on which this witness was an employee of this Lorain company, according to the sworn statement of Mr. Peoples? Was that in 1945? Or was it 1950? Which was that, Witness?

Mr. EFROSS. Mr. Tavenner is looking it up.

Mr. DOYLE. May I ask you what year did you stop employment with the company at Lorain?

Mr. EFROSS. I decline to answer on the same grounds.

Mr. TAVENNER. The application for employment that was introduced in evidence is dated May 19, 1948.

Mr. DOYLE. When did Mr. Peoples fix the dates that he knew this witness as a member of the steel fraction of the Communist Party; what year? I think it was 1950.

Mr. TAVENNER. He doesn't specify the period, other than to state what his own connection was there from 1944, that is, in the Communist Party, through 1950, and his reference to the reregistration of Mr. Efross in 1949 for his 1950 membership.

Mr. DOYLE. I just wish, then, to make this brief observation to the witness—

Mr. TAVENNER. Excuse me. At a place that I did not read in Mr. Peoples' testimony:

My first time of meeting Sidney was the month of September 1949, and I was still in contact with him through December of 1949.

Mr. DOYLE. That sworn statement by Mr. Peoples shows that this witness was a member of the Communist Party in our country.

This is after Earl Browder was kicked out of the leadership of the American Communist Party as a result of the Duclos letter and the putting in control of the American Communist Party of Mr. Foster.

For the life of me, Witness, I can't understand how any loyal, patriotic, American laboring man, such as you—stating you have been a painter for the last five years, but covering up on what you did before as you have today—I can't understand how in the world you would stay in an outfit that acted as the American Communist Party did in 1945 when they kicked Earl Browder out. That should have given you, and did give you, absolute notice of it being an inter-

national conspiracy with Soviet Russia in control of the American Communist Party.

That is all I have to say.

I can make every allowance within reason of any adult man or woman in my country being in the Communist Party as a matter of philosophy and study and research and other things prior to 1945. But how in heaven you can stay in that garbage can after 1945 or 1946, I do not understand for the reasons stated.

Mr. MOULDER. Have you any questions, Mr. Johansen?

Mr. JOHANSEN. I have no questions, but since my colleague referred to Mr. Peoples' testimony as sworn testimony, I want to make sure that the record clearly shows that Mr. Peoples' testimony was under oath. Is that correct?

Mr. TAVENNER. No, sir; I did not so state, but it was under oath.

Mr. JOHANSEN. Thank you.

Mr. MOULDER. The witness is excused.

Mr. TAVENNER. Elizabeth Boynton Millard, come forward, please.

Mr. MOULDER. Would you be sworn as a witness, please?

Do you solemnly swear that the testimony which you are about to give before this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God? *6-3-1954 HCUA*

Miss MILLARD. I do.

TESTIMONY OF ELIZABETH BOYNTON MILLARD, ACCOMPANIED BY COUNSEL, ISIDORE G. NEEDLEMAN *B.C.*

Mr. TAVENNER. State your full name, please. *B. name changed*

Miss MILLARD. Elizabeth Millard.

Mr. TAVENNER. Do you have a middle name? *FOREIGN*

Miss MILLARD. Boynton.

Mr. TAVENNER. Spell it, please.

Miss MILLARD. Boynton.

Mr. TAVENNER. Will you spell it, please? *Elizabeth B.*

Miss MILLARD. B-o-y-n-t-o-n.

Mr. TAVENNER. Are you Miss or Mrs? *Millard*

Miss MILLARD. Miss.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. NEEDLEMAN. I would prefer that no pictures be taken while she is testifying.

Mr. MOULDER. At the request of the counsel, the photographers will not take pictures of the witness.

Mr. NEEDLEMAN. Isidore G. Needleman, 165 Broadway, New York 6, N.Y. *D.C.*

Mr. TAVENNER. When and where were you born, Miss Millard?

Miss MILLARD. I was born near Chicago.

Mr. TAVENNER. Do you object to stating the date?

Miss MILLARD. More than 21 years ago.

Mr. MOULDER. I didn't understand you.

Mr. TAVENNER. More than 21 years ago.

Please state your educational background, briefly.

Miss MILLARD. I respectfully decline to answer that question. I feel it is not relevant to the inquiry of this committee.

Mr. TAVENNER. How are you presently employed?

Miss MILLARD. I decline to answer that question under the protection of the first and fifth amendments, and also on the ground that this committee lacks authority to ask the question, and it has no jurisdiction under the power granted to it by Congress.

Mr. TAVENNER. What has been your previous occupational record? That is, how have you been employed in the past, your main employment?

Miss MILLARD. I decline to answer that question on the same grounds.

Mr. TAVENNER. I hand you a photostatic copy of a passport, which has a picture bearing your likeness, and over the signature, purported signature, of Elizabeth B. Millard.

Will you examine it, please? It bears the date of October 20, 1948. State whether or not that is your signature.

(Document was handed to the witness.)

Mr. MOULDER. The document referred to by counsel will be marked "Millard Exhibit No. 1."

(Document marked "Millard Exhibit No. 1" and retained in committee files.)

Mr. MOULDER. The record should show that the witness and her counsel are examining Millard Exhibit No. 1.

(The witness conferred with her counsel.)

Mr. JOHANSEN. Am I correct, Mr. Counsel, that this is an application? I think the counsel inadvertently said it was a passport.

Mr. TAVENNER. It is an application for a passport; yes, sir.

What was your answer?

Miss MILLARD. Would you repeat the question, please?

Mr. TAVENNER. My question was: Will you identify the signature as being your signature?

Miss MILLARD. I decline to answer on the same grounds.

Mr. TAVENNER. Were you issued a passport by the U.S. Government—

Miss MILLARD. I decline—

Mr. TAVENNER. Excuse me—after October 20, 1948?

Miss MILLARD. I also decline to answer that on the same grounds.

Mr. MOULDER. Would you give a brief description of this exhibit, Mr. Tavenner, that the witness is being questioned on?

Mr. TAVENNER. Yes, sir. This is an application signed by the name of Elizabeth B. Millard, under date of October 20, 1948, to travel for a period of 2 months in England, France, Norway, Sweden, Denmark, and Italy, for the purpose of a vacation.

My question was: Was a passport issued to you after the date of this application, which was October 20, 1948?

Miss MILLARD. I decline to answer that on the same ground.

Mr. TAVENNER. Mr. Chairman, may I have a direction that the witness answer the question?

Mr. MOULDER. Yes. The witness is directed to answer the question. In connection with that direction, I would like to ask you if you were present in the hearing room while the statement was being made by the chairman this morning. Were you present at that time?

Miss MILLARD. Yes, I was.

Mr. MOULDER. It was explaining the purposes of this hearing.

Miss MILLARD. I was, and I still decline to answer on the same grounds.

Mr. MOULDER. You are directed to answer the question. This is in response to my direction?

Miss MILLARD. Yes.

Mr. NEEDLEMAN. I think the record is clear, is it not, that the grounds are the first, fifth, and lack of jurisdiction of the committee?

Mr. TAVENNER. I didn't understand that she invoked the fifth amendment.

Mr. NEEDLEMAN. She has.

Miss MILLARD. I have.

Mr. TAVENNER. She did?

Mr. NEEDLEMAN. Yes.

Mr. TAVENNER. That provision of the fifth amendment regarding immunity from testimony where it may tend to incriminate; is that what you meant?

Miss MILLARD. That amendment.

Mr. MOULDER. As I understand it, Miss Millard, you fear that if you answer any questions in connection with the application for a passport referred to as Millard Exhibit No. 1, it would tend to incriminate you, to expose you to criminal prosecution?

Miss MILLARD. I believe that is the same question I was just asked. I think I have answered that question.

Mr. MOULDER. I understand that is the purport of your answer. You are claiming that in good faith? You think it might subject you to prosecution?

Miss MILLARD. I have answered that question, I think.

Mr. TAVENNER. Did you engage in travel to Communist China in the summer of 1949?

Miss MILLARD. I decline to answer that on the same grounds.

Mr. TAVENNER. I desire to offer in evidence a photostatic copy of page 5 of the Daily Worker, the issue of April 17, 1950, which has in headlines, "Prague to Shanghai—A New World Voyage, By Betty Millard."

I ask that this be marked "Millard Exhibit No. 2."

Mr. MOULDER. The record will show that the exhibit is marked "Millard Exhibit No. 2."

(Document marked "Millard Exhibit No. 2" and retained in committee files.)

(Document was handed to the witness.)

Mr. TAVENNER. Will you examine that, please, and state whether or not the article appearing there under your name was written by you?

(The witness conferred with her counsel.)

Miss MILLARD. I decline to answer that on the same grounds.

Mr. MOULDER. Millard Exhibit No. 2 is admitted into evidence and made a part of the record.

Mr. TAVENNER. I see this statement:

I went to China as a member of a delegation of women of many countries to attend the Conference of the Women of Asia in Peking. This conference, two years in preparation and the first of its kind in history, was organized by the Women's International Democratic Federation.

Did you go to China as a delegate from that organization?

Miss MILLARD. I decline to answer that question on the same grounds.

Mr. TAVENNER. I notice also a reference to the fact that the Women's International Democratic Federation existed in—

59 countries, which, along with the Congress of American Women, had the honor of being attacked not long ago by the notorious House Un-American Committee for its "sinister" activities on behalf of peace.

You recognize that language, don't you?

Miss MILLARD. Are you asking me if I heard such an estimate of the Un-American Committee in previous—

Mr. TAVENNER. I am asking you if you recognize that as your language.

Miss MILLARD. Because I would agree that there are a good many people who feel that the Un-American Committee has played a very negative role, shall we say.

Mr. TAVENNER. I am not asking you what you agree to. I am asking you if you recognize that as language used by you.

Miss MILLARD. I decline to answer that question on the same ground.

Mr. MOULDER. Well, do you now concur with it?

Miss MILLARD. Well, I would say that, if you are asking me an opinion—

Mr. MOULDER. I am giving you an opportunity to concur. It is a wonderful opportunity for you.

Miss MILLARD. I do feel that this committee has probably done more to detract from the prestige of the United States abroad than possibly any other body and certainly, I would say, more than any of the individuals whom this committee has had before it, principally, as far as I can determine, because they have dissented from official and State Department points of view on certain subjects.

Mr. MOULDER. You say it has detracted what? I didn't understand you—

Miss MILLARD. I feel that this committee has, over a good many years, done a great deal to put the prestige of the United States—

Mr. MOULDER. Among the Communists of those countries and particularly of the Soviet Union?

Miss MILLARD. No, I would say among the people generally in the world who feel that the essence of democracy, as I feel, is the right to dissent and who feel that this committee and the McCarthy—in the McCarthy period—that element, have done a good deal to try to stifle democracy in that sense.

Mr. MOULDER. All right.

Now, what do you base that opinion on?

(The witness conferred with her counsel.)

Mr. MOULDER. Was it as a result of your travels abroad?

(The witness conferred with her counsel.)

Miss MILLARD. I simply, like many other Americans, have been reading the newspaper, and have done my own thinking. That is the result of it.

Mr. MOULDER. Isn't it a fact that you arrived at that opinion as a result of your association with Communists on your trip abroad?

Miss MILLARD. I would not say so at all.

Mr. MOULDER. What newspaper did you read it in?

Miss MILLARD. I have had that opinion, and a good many other Americans have had that opinion, for a good many years.

Mr. JOHANSEN. I was not sure—my attention was distracted for a moment—whether the witness answered categorically as to whether she derived that judgment with respect to this committee from information or expressions of opinion made to her while she was abroad.

Miss MILLARD. No, I did not say that. But if I may say so, I derive it in part from opinions such as this editorial in the New York Times.

Mr. JOHANSEN. I am not interested in the editorial. I am interested in a yes or no answer as to whether that opinion was derived from your contacts and experiences abroad.

Miss MILLARD. It is derived from the totality of my experience.

Mr. JOHANSEN. Was it derived from your experiences or contacts abroad, or any part of it?

Miss MILLARD. I decline to answer that question on the grounds that I have mentioned.

Mr. TAVENNER. Between February 1 and 4, 1951, did you attend a meeting of the Communist International Democratic Federation of Women in East Germany?

Miss MILLARD. I decline to answer that question on the same grounds.

Mr. TAVENNER. I hand you a photograph clipped from an issue of the Tagliche Rundschau, a publication in East Germany, of February 4, 1951.

Mr. MOULDER. The photograph will be marked "Millard Exhibit No. 3."

(Photograph marked "Millard Exhibit No. 3" and retained in committee files.)

(Photograph was handed to the witness.)

Mr. TAVENNER. I will ask if you recognize it.

(The witness conferred with her counsel.)

Mr. NEEDLEMAN. If you can recognize anybody in that photograph, you are very good, Mr. Tavenner.

Mr. TAVENNER. Can you read the caption under it? Maybe that would help refresh your recollection.

Miss MILLARD. No, I am sorry to say, I don't read German.

Mr. TAVENNER. Then let me read to you the translation of it.

After the speech of the Korean delegate Hsu Tschen Schu, at the rally of the IDFF in People's Hall on Sunday evening, the American delegate, Betty Millard, embraced the spokeswoman of the Korean women. This embrace illustrated more forcefully than any words the attitude and the wishes of American wives and mothers: We stand on the side of the Korean people. Down with the war in Korea.

Doesn't that refresh your recollection?

(The witness conferred with her counsel.)

Mr. MOULDER. What was the date?

Mr. TAVENNER. February 4, 1951.

Miss MILLARD. I decline to answer that on the same grounds.

Mr. MOULDER. Millard Exhibit No. 3 is admitted into evidence and made a part of the record.

Mr. TAVENNER. In light of the caption, do you now identify the picture as that of you embracing the Korean speaker, the speaker for North Korea?

Miss MILLARD. I decline to answer that on the same grounds.

Mr. TAVENNER. Immediately following your contact with the North Korean Communists in East Berlin, did you write articles in the Communist press relating to alleged atrocities committed by American soldiers in Korea?

Miss MILLARD. I decline to answer that on the grounds of the first and fifth amendments and the other grounds I mentioned.

Mr. TAVENNER. I offer for identification only a thermofax copy of "Masses & Mainstream," the November issue, 1951.

I ask the witness to examine on the frontispiece the article listed, "A Look at 'Operation Killer,'" by Betty Millard.

Will you look at that, please, and state whether or not you were the author of that article a few months after your return from East Germany?

(Document was handed to the witness.)

(The witness conferred with her counsel.)

Miss MILLARD. I decline to answer on the same grounds.

(Document marked "Millard Exhibit No. 4" and retained in committee files.)

Mr. MOULDER. This Millard Exhibit No. 3—I notice the memo attached to it says that the newspaper referred to in the caption below the photograph is the official U.S.S.R. paper in East Germany. It is also very interesting to observe, Miss Millard, that you are referred to; assuming this is your photograph embracing the spokeswoman of the Korean women, you in the caption are referred to—well, the caption refers to American wives and mothers.

As I understand your testimony, you are single and not married?

Miss MILLARD. That is correct.

Mr. MOULDER. And you are not a mother. It illustrates the propaganda used by official U.S.S.R. newspapers in East Germany.

Mr. DOYLE. Not a very well qualified delegate, I would say. The Communists are not always accurate in picking their delegates. They generally pick those who are not qualified in any other capacity than as Communists. This is a good illustration of it.

Mr. JOHANSEN. Mr. Counsel, the representative of the Korean women, as I understand it, was a representative of the North Korean women?

Mr. TAVENNER. Yes, sir.

Mr. JOHANSEN. And this was at the time that the United States was engaged in combat with North Korea?

Mr. TAVENNER. That is correct. And at the time the Communist Party in the United States was advocating the cause of North Korea and, by propaganda, doing everything it could to embarrass the United States in that terrible conflict.

I hand you a photostatic copy of an application for passport, in which I cannot find a date of the making of it that I could be absolutely certain of, but there is stamped on the front of it "Passport issued November 4, 1958," so the application must have been made prior to that date, and may have been made on July 14, 1958.

It bears a photograph which resembles you, and is over the purported signature of Elizabeth B. Millard.

Will you examine it, please, and state whether or not that is your signature?

(Document was handed to the witness.)

(The witness conferred with her counsel.)

Miss MILLARD. I decline to answer that on the same grounds.

Mr. TAVENNER. Miss Millard, it is noted that underneath the photograph of your likeness there are three questions:

Are you now a member of the Communist Party? (Answer "yes" or "no.")

Have you ever been a member of the Communist Party? (Answer "yes" or "no.")

If ever a member state period of membership, From ----- to -----.

All three of those questions were not answered. Why didn't you answer them?

(The witness conferred with her counsel.)

Mr. MOULDER. Are you questioning the witness on Exhibit No. 1, or is this a new exhibit?

Mr. TAVENNER. This is a new exhibit.

Mr. MOULDER. It will be marked "Millard Exhibit No. 5."

(Document marked "Millard Exhibit No. 5" and retained in committee files.)

Miss MILLARD. I decline to answer that, Mr. Tavenner.

Mr. TAVENNER. Are you now a member of the Communist Party? Is that the reason you didn't answer question No. 1?

Miss MILLARD. I decline to answer that on the same grounds.

Mr. MOULDER. The last exhibit referred to by counsel, Millard Exhibit No. 5, will be admitted in evidence and made a part of the record.

Mr. TAVENNER. Haven't you been a member of the Communist Party for a long time and that is why you didn't answer question No. 2?

Miss MILLARD. I decline to answer that on the same grounds.

Mr. TAVENNER. It is stamped on this exhibit that passport was issued November 4, 1958. That was after the rendition of the decision of the Supreme Court in the cases of *Kent and Briebl v. Dulles*, and *Dayton v. Dulles*.

However, before this passport was issued, isn't it a fact that there was sent to you on October 13, 1958, from the Department of State, a communication listing several pertinent questions it wanted you to answer? Do you recall that?

Miss MILLARD. I decline to answer on the same grounds.

Mr. TAVENNER. I offer in evidence a letter from Edward J. Hickey, Acting Director, Passport Office, directed to Elizabeth Boynton Millard, under date of October 13, 1958, and ask that it be marked "Millard Exhibit No. 6."

Will you examine the letter, please, and state whether or not you have received it?

(Document was handed to the witness.)

Mr. MOULDER. Millard Exhibit No. 6 has been marked for identification now.

(Document marked "Millard Exhibit No. 6" and retained in committee files.)

(The witness conferred with her counsel.)

Miss MILLARD. I decline to answer on the same grounds.

Mr. MOULDER. Exhibit No. 6, referred to by counsel, will be admitted into the record and made a part of the evidence.

Mr. TAVENNER. They asked you:

1. Have you in the past traveled or are you now contemplating travel for the purpose of delivering, transmitting, or otherwise communicating information, instructions, or funds to any person or persons for transmission to a foreign government or representative of a foreign government?

2. Have you engaged in any activities on behalf of a foreign power or foreign principal? Have you agreed or volunteered to engage in such activities or have you assisted others in engaging in such activities?

3. Have you furnished, communicated, delivered or transmitted or attempted to furnish, communicate, deliver or transmit, directly or indirectly, any information, instructions or funds to any person or persons for transmission to a foreign government or representative of a foreign government?

If you have engaged in any activities of the nature outlined above, please give complete particulars including the nature of the information or instructions and the identity of the person or persons involved.

4. Are you now or have you in the past registered under the Foreign Agents Registration Act?

5. Are you now or have you in the past engaged in any activities of such a nature as to require your registration under the provisions of the Foreign Agents Registration Act?

Did you reply to that letter?

Miss MILLARD. I decline to answer.

Mr. TAVENNER. In fact, you have never given any answer, have you? You have never given any answer as to the information requested?

(The witness conferred with her counsel.)

Miss MILLARD. I decline to answer on the same grounds.

Mr. TAVENNER. As a matter of fact, had you answered the letter truthfully, you would have had to have told the State Department that you had been a member of the Latin American Affairs Section of the Communist Party; isn't that true?

(The witness conferred with her counsel.)

Miss MILLARD. I never heard of such a thing. I don't recognize that term.

Mr. TAVENNER. Were you a member of any section of the Communist Party which was principally interested in Latin American affairs?

Miss MILLARD. I decline to answer on the same grounds.

Mr. TAVENNER. If you had answered that inquiry truthfully, you would have had to advise that you had been in contact with Communist leaders of Central America, South America, and the Caribbean area, would you not?

Miss MILLARD. I decline to answer on the same grounds.

Mr. TAVENNER. Well, you had been in contact with them, had you not?

Miss MILLARD. I decline to answer.

Mr. TAVENNER. What?

Miss MILLARD. I decline to answer on the same grounds.

However, I will say, if I may be allowed to, that I have always felt that our State Department's support of Latin American dictators, such as Batista, Perez Jimenez in Venezuela, and so on, has been something that was—well, that has certainly injured our relations with other countries, and the regard of people of other countries for

our Government. For that reason, I have always felt that that policy should be opposed.

Mr. TAVENNER. Are you offering that as a reason for the contact of yourself with Communist leaders in the area?

Miss MILLARD. I am offering that as an observation, with your permission.

Mr. MOULDER. If those dictators were Communist dictators, do you think then it would have injured or caused disrespect and lack of respect for our Government?

Miss MILLARD. I am opposed to dictation of any sort.

Mr. MOULDER. Do you think the Soviet Union has a dictator?

Miss MILLARD. Well, I don't know whether the committee wants to engage in philosophical discussion.

Mr. MOULDER. What about Tito?

Miss MILLARD. Well, I—

Mr. MOULDER. Is Tito a dictator?

Miss MILLARD. I don't believe it is within the competence of this committee to inquire into the political and social opinions of citizens of this country. I think on the same grounds that I stated in the beginning—

Mr. MOULDER. You expressed an opinion about some dictators, and I wondered if you had the same opinion about other dictators. I am opposed to dictators, too. I wondered if you were opposed to Communist dictators.

Miss MILLARD. We were discussing Latin America, and with the permission of the committee I wished to interject that observation.

Mr. MOULDER. Proceed, Mr. Tavenner.

Mr. TAVENNER. Notwithstanding the State Department was not given any information regarding the important matters that it requested information about, it nevertheless, under the ruling of the Supreme Court, apparently felt that it had to give you a passport.

Mr. NEEDLEMAN. May I volunteer something to the committee? I think, Mr. Tavenner, apart from the legal position that my client is taking, you are mistaken in saying that that letter was not answered. You check the records. My client has to take a certain legal position.

Mr. TAVENNER. I understand it was answered in this way—that the witness considered that these were insulting insinuations.

Isn't that the answer that you gave?

Mr. NEEDLEMAN. Mr. Tavenner?

Mr. TAVENNER. Let me question the witness on that.

Mr. NEEDLEMAN. May I finish? I was offering something for the clarification of the committee. Counsel Tavenner said there was no answer. I said, apart from the legal position that my client has to take, there was an answer that would be in the record that she is not going to affirm or deny, but I am telling it for the edification of the committee.

Mr. TAVENNER. We want her testimony; not yours.

Mr. NEEDLEMAN. You made a misstatement.

Mr. TAVENNER. I asked the witness if she ever answered that letter in the way of giving the information that was sought.

Miss MILLARD. And I declined to answer on the grounds I stated.

Mr. TAVENNER. However, you did answer to the extent that you said the questions were insulting insinuations. That was the answer you gave, was it not?

(The witness conferred with her counsel.)

Mr. TAVENNER. And that was no answer. Is that right?

Mr. MOULDER. What Mr. Tavenner is asking is, Do you adopt the statement made by your counsel as your testimony?

Miss MILLARD. I think I have given my answer to this question.

Mr. MOULDER. Then you do not adopt the statement made by your counsel as your testimony?

Miss MILLARD. I repeat the answer that I gave previously. I decline to answer.

Mr. MOULDER. You decline to answer my question for the same reasons given?

(The witness conferred with her counsel.)

Mr. NEEDLEMAN. I didn't understand your question.

Mr. MOULDER. I am asking the witness this question: Whether or not you adopt as part of your testimony the statement he made concerning an answer to this letter.

Miss MILLARD. No; I am adopting only my own testimony as my testimony.

Mr. MOULDER. What?

Miss MILLARD. I stand on my own answers.

Mr. MOULDER. Well, I am asking you a question.

Miss MILLARD. I decline to answer that on the same grounds.

Mr. TAVENNER. So you will not advise this committee, then, whether you endeavored to furnish any information of value whatever to the State Department to enable it to pass upon the merits of your application, and that appears to be the situation the State Department is in. If you don't want to give it, no matter what information they have regarding your activities, they seem to be precluded from effectively preventing harmful travel in foreign countries.

Mr. NEEDLEMAN. Why don't you offer, Mr. Tavenner, the letter that you have?

Mr. TAVENNER. I did offer it.

Mr. NEEDLEMAN. The answer which my client, because of legal reasons, can't identify, but which I indicated was in the record. Why don't you offer it to the committee?

Mr. TAVENNER. I haven't any letter for it because it is our information when we subpoenaed these records she did not answer the questions. That is the full record on it.

Mr. NEEDLEMAN. How did you know, then, to characterize the letter?

Mr. MOULDER. Counsel understands the rules of the committee, that he has the right to confer and advise, but counsel will not engage in an argument with committee counsel or members of the committee. Let us proceed.

Mr. TAVENNER. I want to apologize, Mr. Chairman. I do find that there is a letter here which I thought was not here. I will very gladly offer it.

First of all, I want to ask the witness if she wrote it. It is over her signature.

(Document was handed to the witness.)

Mr. MOULDER. The document referred to by counsel will be marked "Millard Exhibit No. 7."

(Document marked "Millard Exhibit No. 7" and retained in committee files.)

Mr. DOYLE. At this point, I wish to suggest to counsel for the witness that in view of his urging and insisting that there was a letter, and he knew of the letter, that in my humble judgment it pretty nearly puts the witness in the position where she might have to admit the signature if it is hers.

Mr. NEEDLEMAN. She is going to stand by her answers. I was going to try to enlighten the committee, which wants to recommend legislation on the basis of it. I think in fairness to the State Department—

Mr. DOYLE. You wish to get the benefit of that letter for your client.

Mr. NEEDLEMAN. No, not for the benefit of my client. I want to get it for the State Department.

Mr. TAVENNER stated that the State Department issued a passport to Miss Millard despite the fact that there were no answers to the questions he read into the record. I told you my client took a certain legal position. I felt that the State Department should not be placed in that position when I knew, as you will see, that there was a letter.

Mr. DOYLE. I think the letter will speak for itself. Your client is pretty well bound by your offer before the committee.

Mr. TAVENNER. I would like to read the letter, dated October 22, 1958:

Replying to the insulting insinuations contained in your letter of October 13, the answer to all your questions is No.

In case a possibly lingering cold war mentality in the Department leads you to imagine that my previous activities in connection with the Women's International Democratic Federation and as editor of Latin America Today (activities of which you are doubtless aware) were activities referred to in your letter, please be assured that nothing is further from the truth.

It seems to me that the State Department is exceeding its authority and denying me my rights as a citizen by inordinately delaying action on my passport application and by asking irrelevant and purposeless questions. I must insist on your prompt issuance of my passport.

Sincerely yours,

ELIZABETH MILLARD.

Mr. MOULDER. Is that under oath?

Mr. TAVENNER. Yes; it is sworn to in the State of New York, with a notary signature.

Mr. MOULDER. And the letter does specifically deny all of the questions referred to?

Mr. TAVENNER. Yes; it does.

Were you a member of the Communist Party on October 22, 1958, the day on which you addressed this letter?

Miss MILLARD. I decline to answer on the same grounds.

Mr. MOULDER. Millard Exhibit No. 7 will be admitted in evidence and made a part of the record.

Mr. TAVENNER. I notice you refer there to the fact that you were editor of Latin America Today.

I offer for identification only the May 1955 issue of that publication, and refer to an article entitled, "Guerilla Warfare In Colombia," by Betty Millard.

Will you identify that as having been written by you?

(Document referred to was handed to the witness.)

Mr. MOULDER. The document referred to by counsel will be marked "Millard Exhibit No. 8," for identification only, as requested by counsel.

(Document marked "Millard Exhibit No. 8" and retained in committee files.)

(The witness conferred with her counsel.)

Mr. TAVENNER. Will you answer the question, please?

Miss MILLARD. What was the question?

Mr. TAVENNER. The question was: Will you identify that article as having been written by you?

Miss MILLARD. I decline to answer on the same grounds.

Mr. TAVENNER. I hand you a photostatic copy of a leaflet of the Jefferson School of Social Science, September—December 1948.

Mr. MOULDER. The leaflet will be marked "Millard Exhibit No. 9."

(Document marked "Millard Exhibit No. 9" and retained in committee files.)

Mr. TAVENNER. I ask whether or not it reflects that you were at that time a teacher in that school.

(Document was handed to the witness.)

(The witness conferred with her counsel.)

Mr. MOULDER. What is your answer to the question?

Miss MILLARD. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. Any questions, Mr. Doyle?

Mr. DOYLE. I have one question. Witness, several minutes ago you volunteered, I think, quite a discourse in criticism of this committee. Do you remember so doing?

Miss MILLARD. I do.

Mr. DOYLE. I was sure you would remember that.

I take the position that when you volunteered that criticism and stated the things you stated, you waived your privilege and, therefore, I want to ask you a few questions on the subject matters which you discussed when you volunteered to this committee, on your own behalf and without being asked questions, your position in criticism of this committee.

I make that statement because I want you to understand that I think now that you are in a position where you cannot claim, legally, the privilege that you have been claiming.

In that volunteered criticism of this committee, you stated that your opinion of this committee was gained on your total experience. Do you remember so stating?

Miss MILLARD. I believe I did, yes.

Mr. DOYLE. Was part of that total experience which shaped your opinion of this committee, and which you gave to us voluntarily this afternoon, gained from your conferences with the Communists in North Korea when you were there at about the time that this picture was taken?

Miss MILLARD. I decline to answer that question on the same grounds.

Mr. DOYLE. Mr. Chairman, I ask that the witness be instructed to answer.

Mr. MOULDER. The witness will be directed to answer the question. However, I thought this was in East Germany.

Mr. DOYLE. It was in East Germany. I will stand corrected.

I ask that the witness, in view of my correction of the geographic location as being East Germany instead of North Korea, be instructed to answer.

Mr. MOULDER. The witness is directed to answer.

Miss MILLARD. I will still decline.

Mr. DOYLE. I will ask you whether or not this total opinion that you testified to as having arrived at was partially formed by you, at least, as a result of your association, if you had any, with Communists in Latin America, or your cooperation with them.

Miss MILLARD. I decline on the same grounds.

Mr. DOYLE. Mr. Chairman, I ask the witness be instructed to answer.

Mr. MOULDER. The witness is instructed and directed to answer the question.

Miss MILLARD. I decline on the same grounds.

Mr. DOYLE. In view of your voluntary statements and criticism of the committee, what portion of your total experience which you volunteered you had, or total opinion formed which you said you had formed of this committee, was gained as a result, if any was—Counsel, let me please finish my question to your client.

Going back, so that the witness will have in mind my question: What part of this total opinion was formed by you as a result of your cooperation, active cooperation, with others or with members of the Communist Party in the United States?

Miss MILLARD. I decline to answer that on the same grounds.

Mr. DOYLE. Was any part of this total opinion which you volunteered in criticism of this committee formed at any time by you when you were a member of the Communist Party in the United States?

Miss MILLARD. I decline on the same grounds.

Mr. DOYLE. Mr. Chairman, I ask that the witness be instructed to answer.

Mr. MOULDER. The witness is instructed to answer.

Miss MILLARD. I decline to answer on the same grounds.

Mr. DOYLE. I think that is all.

Mr. MOULDER. Mr. Johansen?

Mr. JOHANSEN. Mr. Chairman, I would like to make this observation for the record, because we are so frequently confronted with the claim in these hearings that association with the Communist Party and with Communist activities is merely a political association and that the matters with which we are concerning ourselves are matters of the right of dissenting opinions. I would like to make the observation that on the basis of the testimony that has been adduced here, and on the basis of the evidence in the record, it clearly demonstrates in this case the complete fiction of mere political association. It is established by this evidence that this witness attended a rally of the IDFF in East Germany; that by her actions, as reflected in the photograph, she indicated her sympathy with, and adherence to, the North Korean cause at the time American forces were engaged in mortal combat; and that it comes, it seems to me, perilously close to giving comfort, if not aid, to an enemy of the United States.

I don't know any clearer indication of the fiction of a mere political association.

Mr. DOYLE. Mr. Chairman, in view of the objections or reasons given by these three or four witnesses today in this passport hearing, claiming nonjurisdiction of the committee, nonpertinence, and non-relevancy, may I ask our distinguished legal counsel of the committee, if you think it would not be inappropriate, just to take a minute or two to give for the record his extemporaneous statement of what connection this sort of evidence has with our study of the passport problem with reference to possible legislation?

Mr. MOULDER. That has been covered, has it not?

Mr. TAVENNER. Yes.

Mr. DOYLE. The preliminary statement did, but then the witnesses had not yet testified.

Mr. TAVENNER. I did also in the course of the testimony of Mr. Popper.

Mr. DOYLE. You think you have given all you wanted?

Mr. TAVENNER. Yes.

Mr. MOULDER. The witness is excused.

Mr. TAVENNER. Mr. Chairman, we have requested the Honorable John W. Hanes, Jr., Administrator of the Bureau of Security and Consular Affairs of the Department of State, to appear before the committee.

Will you come forward, please, Mr. Hanes?

STATEMENT OF JOHN W. HANES, JR., ADMINISTRATOR, BUREAU OF SECURITY AND CONSULAR AFFAIRS, DEPARTMENT OF STATE, ACCOMPANIED BY JOHN W. SIPES, SECURITY COUNSEL, DEPARTMENT OF STATE, WASHINGTON, D.C.

Mr. TAVENNER. You are Mr. John W. Hanes, Jr.?

Mr. HANES. Yes, sir, John W. Hanes, Jr., Administrator of the Bureau of Security and Consular Affairs, of the Department of State.

Mr. TAVENNER. Please present your associate.

Mr. HANES. Mr. John Sipes, Security Counsel, of the Department of State.

Mr. TAVENNER. Mr. Chairman, I have had a conference with Mr. Hanes, and thought that the best way to start out in obtaining information from him regarding the problems before us was to have him make a preliminary statement to you. He gave us a copy of his statement yesterday. I suggest that he start out by presenting his prepared statement.

Mr. MOULDER. You may proceed, Mr. Hanes. We want to first express our appreciation for your assistance and cooperation given to this committee in studying this problem.

Mr. HANES. Thank you. Mr. Chairman, I would like to express my appreciation in turn for the opportunity to come before you in the important work that you are carrying on, a work to which I attach a very considerable amount of importance, a work that I have attempted myself to further since I have assumed this present position. I consider it a very great privilege, therefore, to appear before you.

Mr. MOULDER. Thank you.

Mr. HANES. Your investigation today, sir, is into the advisability of passport security legislation.

This inquiry spotlights a current and particularly dangerous hole in our defenses against the operations of the international Communist conspiracy, and is a further example, sir, in my opinion, of the service which this committee renders to Congress and to the American people.

Passport security is not a new subject for this committee. In 1956, two years before the Supreme Court's decision in the Kent-Briehl case, this committee recommended legislation in order to strengthen the hand of the Secretary of State in controlling the international travel of adherents of the Communist Party. No action was taken on that recommendation by Congress, however; and the Supreme Court has since ruled that the Secretary's regulations in this matter were without an adequate statutory basis. I have noted that this committee's report for 1958 lists passport legislation as the number one recommendation and urges Congress to rise immediately to its responsibility in this all-important matter.

Mr. Chairman, the Department of State also feels it is essential that legislation be passed authorizing the Secretary to deny passports to hard-core, active Communist supporters. Today, such persons can demand passports, and we have no alternative but to issue them. These people who knowingly and wilfully support the international Communist conspiracy are American citizens, but they are very far from being ordinary American citizens. Their loyalty is given not to our Government nor to our free way of life, but to the purposes of a foreign government which seeks world conquest and our destruction.

It is a well-known basic Communist doctrine that all means, legal and illegal, can and must be used to gain its ends. We believe that active American Communists should no longer be allowed to use a gap in our laws to permit, and even to help, their travel abroad, which is itself so essential to the successful operation of their conspiracy.

I don't know exactly how many members the Communist Party of the United States now has—perhaps fifteen or twenty thousand. But, however many there are, each and every party member as of today can get a passport from the Department of State, except in the rare instance that he happens to be ineligible for some other reason, such as being a fugitive from justice. This is a breach in our defenses which our enemies have been quick to take advantage of. Many persons with known Communist affiliations have applied for passports since the decision of the Supreme Court, some of them even though they have no present intention of going abroad.

Testimony before you several weeks ago, and more recently, further demonstrated this fact. I would guess that many of these people are applying under orders, because the Communist Party fears that they may soon again be unable to get passports.

Mr. JOHANSEN. May I interrupt you at this point?

I do not want to anticipate testimony. But in the event the corrective legislation that the gentleman is testifying to were enacted, would it, in the gentleman's judgment, be possible to make it effective retroactively with respect to these passports which, in a sense, might be said to be stockpiled in anticipation of the inability to secure them?

Mr. HANES. Yes, sir; I believe this could be done essentially in two ways. The legislation could, and I trust would, make specific the Sec-

retary's authority not only to deny passports in the future, but to invalidate passports already issued. The Department of State could implement that invalidation in a number of ways which could even include, I suppose, if the situation became difficult enough, the issuance of a new type of passport to succeed the old type.

This was something, incidentally, that the Department had to do once before, at the time of the Spanish civil war. So many American passports fell into the hands of the Soviets, were lifted from Americans who went to join the Communist armies in Spain, and were taken from them and shipped to Moscow, that the Department had to issue a new type of passport in order to correct that situation.

So I would say the answer to your question is definitely "Yes."

Mr. JOHANSEN. And it would be a most important feature of the legislation?

Mr. HANES. It would indeed, sir.

Mr. JOHANSEN. Thank you.

Mr. HANES. Since June 1958, many leading American Communists have been enabled to travel to the Soviet Union and have done so. Today we must issue United States passports to such people—passports which not only permit, but greatly aid, their travel. The United States passport clothes them abroad with all the dignity and protection that our Government affords. And yet their dedicated purpose in life is to destroy our Government and our freedom. Surely this situation is a perversion of the liberty which the Constitution and the laws are meant to guarantee us.

I would like to expand on the point that Mr. Johansen made recently.

Congress and the courts have both found that the loyalty of American Communists is given not to the American Government but to a conspiracy working to overthrow it. This subcommittee is certainly familiar with the findings made by the Congress in the Internal Security Act of 1950 and the Communist Control Act of 1954 concerning the nature of the Communist movement and the true allegiance of its American adherents. In 1950 the Congress found that:

those individuals who knowingly and wilfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States, and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement.

Again in 1954, the Congress found that the Communist Party is not merely another political party in the United States, but is a "clear, present and continuing danger" to our security.

The courts have also vigorously and consistently exposed the myth that the Communist Party is merely another political party.

In *Dennis v. the United States*, the Supreme Court found that the defendant's—

conspiracy to organize the Communist Party and to teach and advocate the overthrow of the Government of the United States by force and violence created a "clear and present danger" * * *.

Mr. Justice Jackson, in *American Communications Association v. Douds*, also came to the conclusion that the Communist Party is not

a political party but is "a conspiratorial and revolutionary junta organized to reach ends and to use methods which are incompatible with our constitutional system."

Other decisions of the Supreme Court and of lower courts have been based on a judicial recognition of the true nature and purposes of the international Communist movement.

I should like to quote here the description which Circuit Judge Prettyman gave of the Communist movement in his 1957 opinion in *Briehl v. Dulles*, upholding the regulations of the Secretary of State regarding the issuance of passports to Communists. Judge Prettyman's decision was reversed by the Supreme Court in *Kent and Briehl v. Dulles*, but on other grounds. His characterization of the nature of the Communist movement stands as a valid and lucid statement of judicial opinion. I quote:

There exists in some quarters a dogged insistence that the Communist movement be treated as any other political organization. It is as though one argued that, since opiates and aspirin both possess medicinal properties, they must be subjected to the same permissions and restrictions. The fact is that opiates are to be and are regulated because of their own peculiar characteristics. And so is the Communist movement and its affiliates. It would be inexcusably naive for any court to declare in the present state of the world that adherence to the Communist cause is a mere matter of politics or political opinion. We shall treat the Communist movement according to what the Congress, the President, and the Supreme Court have declared it to be. * * *

As we have pointed out, the Communist movement is, in the view of this Government, an aggressive conspiracy potentially dangerous to this country. Travel abroad by members of or adherents to the Communist movement is obviously an easy method of communication between such persons or organizations in this country and the prime sources of Communist policy and program in the Soviet Union and its satellites. Once a person with a passport is out of this country, this Government has no control over where he goes. His travel is controlled entirely by whatever countries he thereafter wishes to leave and to enter. * * *

In the second place, unless all the major foreign and fiscal policies of this Government, under two administrations of opposing political parties, have been a gigantic fraud, it is the unequivocal duty of the Department of State to prevent international incidents which might arouse hostile activities on the part of the Soviet Union or its satellites. * * *

Promptly after the Supreme Court decision last June which struck down the Department's regulations as they pertained to passports for Communist supporters, the President of the United States and the late Secretary Dulles both sent messages to Congress asking for corrective legislation and emphasizing the urgency of the situation.

Representatives of the Department of State, both before congressional committees and in public statements, have repeatedly made clear our conviction of the necessity for prompt congressional action on this matter. In this connection, Mr. Chairman, I ask your permission to insert in the record a recent statement of the Department's strong feeling on this subject, contained in a speech I recently gave before the Council of Foreign Relations in Chicago.

Mr. MOULDER. The statement referred to is an address by the Honorable John W. Hanes, Jr., Administrator, Bureau of Security and Consular Affairs, before the Chicago Council of Foreign Relations, Chicago, Ill., March 24, 1959. It will be admitted and incorporated into the record at this point.

(The statement referred to follows:)

PASSPORTS AND THE COMMUNIST CONSPIRACY

I am very pleased to have an opportunity to meet with this particular group in this particular city. I want to talk with you about some basic matters involving our foreign relations and our national security.

Foreign relations used to be something that this country thought it could afford largely to ignore, or at least to delegate to the sole attention of a few people who were interested in such things in Washington. The pioneer work which your own organization, comprised of so many leading citizens of this great central city of the United States, has done for nearly 40 years is one very tangible reason why that situation has changed.

Today it is self-evident that our foreign relations are inseparable from our national security. We all recognize that our security, our lives, and our very existence, both as individuals and as a nation, are effectively threatened from abroad. We all recognize the existence of a powerful and implacable hostile force dedicated to world conquest, and to the destruction of all that our republic and our people stand for. The hostile force is international communism, and its primary manifestation is Soviet Russia. It is also, however, an international conspiracy that extends into every nation in the world, including our own.

These facts have a connection with the U.S. passport. I would like today to tell you why.

A great deal of confusion and misunderstanding has surrounded the matter of Communists and passports. The misunderstanding has related both to the facts and to the issues which are involved, as well as to others which are not, but which have been introduced into the controversy. I hope to set the record straight on these facts and issues.

THE SUPREME COURT DECISION

In June 1958, in the *Kent*, *Briehl*, and *Dayton* cases the United States Supreme Court by a majority of 5 to 4 handed down decisions holding, in effect, that the Secretary of State does not have the authority to refuse a passport because of membership in the Communist Party, or even because he has specifically found that an applicant is going abroad willfully and knowingly to engage in activities which would advance the Communist movement. In both decisions, the Court denied the Secretary's right because the Congress has not passed legislation specifically giving the Secretary that right. Contrary to popular belief the Supreme Court did not hold that it was unconstitutional to deny a passport to a Communist. It did say that any legislation giving the Secretary the right to make such a denial must carefully protect the constitutional rights of citizens.

Since that date, the administration has been urgently seeking the passage of such legislation by the Congress. Although the House overwhelmingly passed a bill in the closing days of the last session of Congress, the Senate failed to act; and neither house has taken action as yet in this session.

THE NATURE OF THE COMMUNIST CONSPIRACY

In order to understand why this situation is serious, it is necessary first to understand the nature and methods of the international Communist conspiracy.

That conspiracy today creates a greater menace to the United States than we have ever faced before.

With assets of some 900 million people and 16 once independent countries that have fallen under its control, it commands frightening resources. The United States is the only power strong enough to maintain the alliance which alone keeps international communism from its goal of world conquest. We would be naive indeed if we believed that its vast and harshly regimented resources were not consistently committed against us in every way which could do us harm—openly and secretly; abroad and at home.

This conspiracy is truly international. It is controlled and directed from Moscow. That part of it which exists in America is no more American than that part which rules in Hungary is Hungarian. Some hard-core supporters of the international Communist movement hold American citizenship, but they are not ordinary American citizens. They voluntarily give service and allegiance to a foreign ideology which promotes the objectives of a foreign power.

Some people feel that, because actual membership in the Communist Party, U.S.A., as of today is small, the American brand of communism therefore offers

no threat to our internal security. Many top Communists, of course, are not party members. The Communists themselves do not even agree that the party is weak. Last month, William Lorenzo Patterson in an editorial in *The Worker* said: "The prevailing political atmosphere permits increasing activities with lessening dangers of victimization * * * Let's be bolder." Every day brings us new evidence of the vitality, the farflung operations and the current danger of the Communist conspiracy in the United States.

We believe that the travel abroad and the possession of a valid American passport by hard-core American Communists constitutes a real danger to our country. This is so because all the evidence about Communist organization and methods shows that the effective functioning of the international party machinery depends in large part on the freedom of its members to travel.

One does not have to be a student of Communist organization to realize the truth of this. Think of your own organizations. Everyone in business today travels almost constantly. You all know that personal contact is an essential part of doing business. The mails—even the telephone—are not an adequate substitute. If this is true of normal business operations, how much more true must it be of the enormously complex worldwide operation of an international conspiracy where virtually everything must also be kept secret. I do not know how one would go about recruiting an espionage agent by mail or by telephone. I doubt if the Communists know either. Such things require personal assessment, personal recruitment, personal contact. In an organization of this sort, to hamper the movements of any members of the organization is a crippling blow and puts the operations of the organization under a most heavy handicap.

Another thing that is important to understand is that the size and complexity of this Communist organization requires a very great variety of orders and instructions and information and activities to keep it operating. It has top people in it, and it has little people. It isn't only the top people who are important. Each of the little people in this highly disciplined machine is a cog who has his own place and his own usefulness to the functioning of the whole machine. A relatively unimportant but reliable member of the conspiracy may act as a courier to carry an important message between Communist leaders in different countries. The whole elaborate organization which has surrounded every Communist espionage network which we know about in this country, such as in the *Rosenberg* case, has demonstrated conclusively the essential role played by the numerous "unimportant" little people in the organization without whom it would cease to function.

We are by no means helpless against this conspiracy, nor has our Government been inactive or unsuccessful in fighting back. Much of the success we have had is attributable directly to the dedicated fight over many years and many obstacles which has been carried on personally by Mr. J. Edgar Hoover and by the FBI. Their persistence and their results have inspired others who work in this field, and have done much to awaken the American people to a clear and present danger.

Our weapons against Communist subversion have been a closely interlinked set of techniques. They have included penetration of the conspiracy and constant surveillance and, always, to the extent we could achieve it, by passport and visa and immigration regulations, the denial of free movement in and out of the country and thereby of easy and satisfactory communications.

The loss of our ability to stop American members of the Communist apparatus from getting passports has blunted the other weapons we have against the Communist conspiracy. For example, our success in preventing the entry of foreign Communist agents and couriers with their financing and instructions from headquarters becomes rather hollow if American members of the apparatus can travel freely out of the country. Similarly, the most successful penetration of the domestic Communist apparatus by agents of the United States is rendered much less useful if the persons watched can evade observation for extended periods by traveling abroad, probably behind the iron curtain where we can hardly expect to know what they are doing.

I have sometimes been asked whether there is really any point in denying passports to American Communists, for after all they can travel legally to Latin America without a passport, and from there usually can obtain illegal passage to wherever they wish to go. This is undeniably true. However, it is also a fact that, in the years during which we denied passports to Communists, very few important members of the apparatus took advantage of this roundabout route. One reason may be that whenever you require an organization to

utilize cumbersome and devious and illegal methods of this sort, you stretch that much farther and that much thinner the trail which the conspirators cannot fail to leave. They must utilize more people with more risk of some breakdown in the system and compromise of its secrecy. It is that much more likely that somewhere along the trail those whose job it is to counter the Communist conspiracy will uncover it. Undoubtedly one of the greatest protections we have against the conspiracy is knowledge of what is taking place within it. Whenever such a trail can be uncovered at any point, it can usually be unravelled fairly easily in both directions with the result of a considerable increase of our knowledge about the whole conspiracy.

COMMUNIST INTEREST IN PASSPORTS

Our own Government has long recognized how important American passports are to the Communist conspiracy. Forty years ago, just after the Bolshevik Revolution, the Department of State became aware that American Communists were carrying on espionage, propaganda, and revolutionary activities for the Soviet government and the international Communist movement. The State Department decided in 1920 that passports should be refused to persons who advocated the overthrow of governments by force, who espoused publicly the Soviet cause, or were carriers of Communist correspondence. This policy remained in force until 1931. At no time, I might point out, during this eleven years was the Secretary's discretion in the matter ever challenged in the courts.

The American passport has always been valuable to espionage rings, as you can well imagine. For example, prior to World War II an espionage agent was arrested in Copenhagen and found to have four U.S. passports in his possession. The Communist underground has long maintained workshops devoted to the wholesale forgery and falsification of passports and other documents.

However, genuine American passports were highly prized at intelligence headquarters in Moscow, according to a former chief of Soviet intelligence in Europe. During the Spanish Civil War, Communist leaders assiduously collected the passports of the several thousand Americans in the International Brigade, and the bulk of these passports eventually found their way to Moscow for alteration and possible use by Soviet agents. In fact, so many American passports were collected from this source that, as a countermeasure, the United States had to replace every outstanding passport in the world with a new document.

CONGRESS ACTS

In 1949, eleven members of the National Board of the Communist Party, U.S.A., were convicted of conspiring to advocate the overthrow of the U.S. Government by force or violence. In 1950, American Communists were actively supporting the enemy position in the Korean War. Congress, recognizing these dangers, passed the Internal Security Act and found that: "travel of Communist members, representatives and agents from country to country facilitates communication and is a prerequisite for the carrying on of activities to further the purposes of the Communist movement." Congress also said that Americans who participate knowingly in the world Communist movement "in effect repudiate their allegiance to the United States, and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement." Yet allegiance is the touchstone of the right to a passport.

Indeed, the Internal Security Act of 1950 made it a crime to issue passports to members of registered Communist organizations; but this sanction still has no legal effect because protracted litigation in the courts has been able to prevent that part of the act from becoming applicable.

Again in 1954 Congress made its intention clear when it declared that the Communist Party of the United States, "although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States." Congress further found that the role of the Communist Party, U.S.A., as the agency of a hostile foreign power renders its existence a "clear, present and continuing danger to the security of the United States."

THE DEPARTMENT'S REGULATIONS

The Secretary of State, charged by law with the issuing of passports, could hardly have ignored these Congressional findings. In 1952, the Department's

policy was made a matter of official record when Secretary Acheson issued regulations establishing the criteria for refusing passports to Communists and Communist supporters.

The publication of these regulations triggered a violent attack by the Communists through their press and through the courts, utilizing every device of law and procedure. Their clever campaign gained respectability because many sincere persons, who have no sympathy whatever with communism, became disturbed by the argument that the regulations permitted the Secretary of State arbitrarily to restrict a citizen's rights. These were the regulations which in 1958 the Supreme Court struck down by finding that they had not been specifically authorized by Congress.

I think it might be well to put into perspective exactly how these regulations operated, and their practical effects, by giving you some statistics on the numbers of Communist supporters refused passports under them and the numbers of Americans who received passports. For the two calendar years preceding the Supreme Court's decision, 1956 and 1957, 1,145,000 passports were issued or renewed. During that same period, the Passport Office limited the passport privilege of 61 persons because of Communist grounds. Every one of those persons had access to an elaborate and impartial appeal mechanism, and many of them utilized it.

From the time this mechanism was set up in 1952 until the Supreme Court's decision in June 1958 the Secretary of State—and it must be the Secretary personally—refused passports to only 15 persons on Communist grounds after full hearings. A number were granted passports after hearings; some others, of course, did not contest the Passport Office's denial; and undoubtedly many active Communists never bothered to apply at all, knowing they would be scrutinized and required to make a sworn statement about Communist Party membership.

I believe it is important to remember these figures when statements are made about the "arbitrary" action of the Department in passport matters. I assure you that these 15 persons who were denied passports by the Secretary did not include a single one who was an ordinary American citizen, or whose only activity in behalf of the Communist movement was some vague alleged "beliefs and associations."

HISTORY OF PASSPORTS

American passports, of course, are valuable documents, and well worth all this trouble that the Communists have gone through to get them. Our passport requests foreign governments to let the bearer, an American citizen, pass safely and freely, and to give him all lawful aid and protection. It invokes for him the full prestige of the United States Government; and foreign governments usually accept it as meaning that he is a reputable person.

The passport has also become a practical necessity for travel. Today 75 percent of all countries, including most of Latin America, require foreigners, including Americans, to have passports for entry; and we ourselves require Americans to obtain passports for travel outside the western hemisphere because we are still in a state of national emergency.

We have made it easy, however, to meet this requirement. We issue nearly three-fourths of a million passports each year, each one valid for a maximum of four years. We refuse only an infinitesimal number.

Much of the meaning of even the very few, but very important refusals became academic, of course, in June 1958, when the Supreme Court's ruling was handed down. Since then, as we anticipated, there has been a flood of applications from persons with records of Communist affiliations or activities. Some of them had previously been denied passports, but many had never previously applied. Many we know a great deal about, and none of it is good. Others we would like to know more about, but the Department of State is no longer in a position even to inquire, much less investigate, whether any such applicant is a Communist Party member, or how dangerous he may be. There is quite a difference, for example, between a known courier and a harmless fellow traveller.

This flood of applications continues today. The Communists are getting passports while they can. Naturally, in all these cases the Department's previous policy has had to give way and passports have been and are being issued to all these people.

LEGISLATION REQUIRED

Immediately following the Supreme Court decision, Secretary Dulles sent Congress a draft bill to provide the specific legislative authority which the Court held was lacking. He wrote to the Congress:

"I think there can be no doubt in anyone's mind that we are today engaged for survival in a bitter struggle against the international Communist movement * * * [This] movement seeks everywhere to thwart United States foreign policy. It seeks on every front to influence foreign governments and peoples against the United States and eventually by every means, including violence, to encircle the United States and subordinate us to its will. The issuance of United States passports to supporters of that movement facilitates their travel to and in foreign countries. It clothes them when abroad with all the dignity and protection that our government affords. Surely, our government should be in a position to deny passports to such persons."

President Eisenhower urgently endorsed the legislation, saying: "Each day and week that passes without it exposes us to great danger."

What must such legislation do?

Again, the President has expressed it well. He said:

"In exercising these necessary limitations on the issuance of passports, the Executive Branch is greatly concerned with seeing to it that the inherent rights of American citizens are preserved. Any limitations on the right to travel can only be tolerated in terms of overriding requirements of our national security, and must be subject to substantive and procedural guarantees."

Simply stated, what we need is legislative authority which will allow the Secretary of State to deny passports to hard-core supporters of the international Communist movement. We believe such denial should occur under due process of law, including judicial review. We believe that it should apply only to those who knowingly engage in activities—not merely hold beliefs or have associations—but engage in activities in furtherance of the international Communist movement, or who are going abroad to engage in such activities.

We do not seek statutory passport authority to stifle criticism of this Government or its policies. We do not believe that the passport should or can be used to restrict the movement of people who hold political, social or economic opinions which are not of the orthodox American variety.

We do not seek or want authority to deny passports to any whose travel or activity abroad is merely an embarrassment to our country. I believe that the United States is strong enough to survive embarrassment if we must.

Neither do we wish to penalize loyal Americans who at one time, before the nature of the Communist conspiracy became as crystal clear as it is today, may have sympathized with Communist theories or even belonged to Communist organizations in this country.

All we seek, and what I feel we must have, is the capacity to protect ourselves by denying passports to those relatively few hard-core, active Communist supporters who are not ordinary American citizens and whose travel abroad constitutes a danger to the United States.

Much has been said concerning the constitutionally protected "right to travel" of an American citizen, Communist or not. I believe we should understand such terms thoroughly, for they are central to this issue.

Our Constitution can and does guarantee the citizen's freedom to travel among the 50 States in the Union. However, it obviously does not and cannot guarantee any right of an American citizen to enter any foreign country. We do not recognize the right of any alien to enter our own country except as we, as an act of sovereignty, grant him permission to do so. An excellent example of a foreign regime exercising sovereignty in this way is the Chinese Communists. For nearly two years now, some twenty-five American newsmen representing the major foreign newsgathering organizations of this country have had and still have American passports valid for travel to Communist China, but that regime has refused to let them enter.

The constitutionally protected "right to travel" abroad, therefore, is really only the right to leave the United States, and I certainly agree that this right is part of the liberty of which the citizen cannot be deprived without the due process of law of the fifth amendment. However, like any other Constitutional right, it is not absolute and may be abridged by society for good and sufficient reasons involving its own protection so long as due process is observed.

In the case of passports "due process" means that the Secretary of State cannot be arbitrary or capricious but must have sound reasons for restricting

an individual's right to exist. It means that he must tell the individual the reasons for his action in sufficient detail and under such circumstances that the individual may have an opportunity to show the reasons untrue. Such circumstances should include a full hearing and review within the Department of State, and, ultimately, of course, the right which now exists to appeal to the courts.

It is interesting to note in this connection that even such citadels of democracy and individual rights as the United Kingdom, France, and Canada do not provide for any judicial review of passport denials. In those and other free countries, passport denials are matters strictly within the jurisdiction of the Executive Branch, from whose decision there is no appeal.

There is one other essential of passport legislation which is much misunderstood, and that is the necessity for the government to be able to utilize confidential information as part of the basis of its decision.

I can say bluntly that any legislation concerning denial of passports to Communist supporters would be meaningless and would not achieve any purpose if it prohibited the government from utilizing confidential information. Almost without exception, dangerous cases in the Communist area involve confidential information and investigative sources. Indeed, the more recent and meaningful our information is, the more likely it is that it has come from current confidential investigative sources within the Communist movement.

The government has a legitimate and overriding interest in maintaining the security of these investigative sources and methods. If faced with the unpalatable choice between exposing and thereby destroying a valuable and continuing source of information about the activities of the Communist conspiracy, and issuing a passport to an individual member of that conspiracy, the government has no alternative but reluctantly to issue the passport as the lesser evil.

Some people feel that the use of confidential information in such cases means using vague and unsubstantial gossip or allegation that will not stand the light of day. This is nonsense. In the first place, if one is prepared to believe that the Secretary of State who must personally decide passport appeals cases, would actually base a considered decision upon anything less than substantial and corroborated evidence, then one must believe that our country's security is in far greater danger than from the capricious denial of passports.

In the second place, confidential information is almost always a small part of any total case, although usually essential because of the clear proof it provides. Most of every case can be fully and publicly disclosed.

Beyond this, however, we believe, based on a careful review of the Communist cases we have had in the past, that in every case the government can provide a fair summary of even the confidential information both to the applicant and to the courts. Such a fair summary would include all the pertinent reasons for which the passport is denied, and would exclude only those details required to protect confidential sources of information.

I would have no objection to any legislation requiring the government in all cases to provide such a fair summary of the content of any confidential information relied upon:

THE CLEAR AND PRESENT DANGER

One other thing should be clear. What we are talking about is not a criminal proceeding in which someone is being tried or punished for past actions, but an administrative process which attempts to predict someone's future course of action if he travels abroad, and to balance its potential danger to the United States against the desirability of facilitating the travel and giving him protection while he is performing it. These are services which the government should extend to its citizens, but they are not inviolable rights which the individual can demand no matter what the menace to society may be.

Even having said this, however, much about this subject remains repugnant to Americans. The use of "confidential information" in any kind of proceeding, judicial or not; indeed any sort of governmental restriction, whether on travel or passports or any other activity of the individual; these are things which we will never like and which I hope we never accept apathetically.

Here, however, I believe, we must face squarely one fact which is inherent in every aspect of this matter which we have been discussing today. That is simply stated, that our nation, although not technically at war, assuredly is not at peace. We face, almost on a daily basis, actual threats to our national security and to our very existence which very clearly are the equal of any

threats we have ever faced in peace or war. One need only think of the implications of Berlin today, or the countless crises of the past decade, to realize that the "cold war" is a contradiction in terms.

This uneasy situation of not peace, not war, is something entirely new to our experience. It places a tremendous strain upon our governmental and Constitutional institutions, for it blurs lines which had always previously been considered sharp and clear.

It used to be that when our nation was not at war it was truly at peace. Certain rules obtained and governed our lives in peacetime. These rules were evolved over a century and a half by and for a free people who since the earliest days of their history had been faced by no serious external threat to their freedom or their national existence. Occasionally war came, and there was a clear line of demarcation. War was declared and waged with certain formalities. During wartime certain special rules obtained because the nation temporarily required the subordination of individual desires to the overall national effort. These special rules, while repugnant, were considered tolerable for the limited duration of the war. When the war was over, other prescribed formalities occurred, the nation was at peace again, and the special wartime rules, which were usually incompatible with complete constitutional freedom were dropped.

This sharp demarcation between peace and war does not exist today. International communism has thrown away the rule book. It does not consider itself ever at peace. It is always totally mobilized to advance its aim of world domination. It does not recognize any of the accepted rules of international or legal or human conduct except when, and only for as long as, those rules may suit its purpose.

This situation creates an unprecedented threat both to our liberty and to our very existence. Our response must include a recognition of these changed circumstances, or risk the loss of existence and liberty together.

The threat, moreover, will continue to exist, perhaps for many years in the future. This makes it imperative that whatever response we do adopt must be one that we can indefinitely sustain, and without endangering the strength or the integrity of our basic and cherished institutions which we are seeking to protect.

I believe that such a response is possible to a free people. I believe that our institutions—our Constitution, our laws, and our form of government—are strong enough and flexible enough to adjust to these changed circumstances, just as they have adjusted to many changes in the past.

I have tried to illustrate what I mean by suggesting, in the limited but important field of passport policy, a procedure which meets these criteria. It meets, I believe, the most pressing requirements of national security. It does so by law and under the Constitution.

I think, for the reasons I have given, that adequate passport legislation is essential to our security. But let me be very clear. I do not believe that this piece of legislation will eliminate all the dangers which we face from the Communist conspiracy; or even all of those which it is intended to counter.

I do believe that adequate passport legislation is a necessary and integral part of the screen of weapons we have raised against the conspiracy, and that it will seriously cripple the effectiveness of that conspiracy.

I do believe, finally, that all our weapons together, wisely and effectively used, will contain the internal menace of the Communist conspiracy within tolerable limits while our military strength deters its worldwide menace and our foreign policy seeks to replace its threat with a just and durable peace.

Mr. HANES. I think it is both of importance and interest to this committee to know that the late Secretary Dulles personally went over carefully and vigorously approved the text of my speech that has just been inserted into the record.

I believe it will also be of interest to this subcommittee, in its consideration of passport legislation, to note that the speech deals not only with the need for legislation but also with the type of legislation we feel is most adequate from an administrative and legal viewpoint.

The Department of State strongly believes it is essential that legislation be passed authorizing the Secretary of State to deny passports to hard-core, active supporters of the international Communist move-

ment. We believe, moreover, that such denial should occur under appropriate guarantees of due process of law, and that the authority should never be used capriciously or merely to attempt to stop criticism abroad of this Government or its policies. Such criticism of our laws and our institutions by Americans traveling in foreign countries may sometimes be hard for us to stomach, but we can survive it.

The Department seeks only the capacity to protect the United States by denying passports to those relatively few active supporters of the Communist movement whose travel abroad constitutes an actual danger to the United States.

This concludes my opening statement. I shall be happy to attempt to reply to any questions the committee may wish to ask.

Mr. MOULDER. Have you any questions, Mr. Doyle?

Mr. DOYLE. What legislation should be suggested to Congress?

Mr. HANES. Mr. Doyle, we have never felt that there is any one single bill that will answer all questions.

Mr. DOYLE. I will withdraw my question because of the time element, and I will let our counsel ask the questions to bring out what I had started to go into. Thank you very much.

Mr. TAVENNER. Mr. Chairman, there are a few questions that I had in mind asking to point out a little more definitely some matters referred to in the statement. It may save a duplication of effort.

Is it correct that the Secretary cannot now deny a passport to an active Communist Party official?

Mr. HANES. Yes, sir; it is entirely correct that he cannot deny a passport to an active Communist official.

We have no authority whatsoever to deny a passport on those grounds.

Mr. TAVENNER. Foster, himself, I believe, has applied, or has indicated he is going to apply, for a passport. I do not want you to express an opinion in advance of such an application, but that would be one matter the State Department would have to act upon?

Mr. HANES. Well, let me say on the grounds of his being a Communist official; we have no grounds to deny him or any other person a passport.

Mr. TAVENNER. If the Department had knowledge that a Communist Party official was going to the Soviet Union to receive directives for the Communist Party in this country, could the Department refrain from issuing a passport under the present law?

Mr. HANES. I see no way, sir, in which we could. In fact, I would find it inconceivable that any Communist who went to the Soviet Union would not receive instructions at the time that he was there. I am quite certain he would. Even if, however, we had knowledge of this fact, that does not provide any grounds on which we could deny a passport under the rulings of the court.

Mr. TAVENNER. To emphasize the far-reaching effect of the Supreme Court decisions, I would like to ask you whether or not, in a case where you had information, let us say direct evidence, that a Communist Party official was going to the Soviet Union to enter a training school on espionage, you could do anything about denying him a passport.

Mr. HANES. No, sir; we could do nothing about denying him a passport. There is no violation of U.S. law in entering a school for

espionage. There are no grounds which we have left on which we could deny him a passport, even if we had the information you suggest.

Mr. TAVENNER. How does travel abroad by a hard-core, active participant in the Communist movement hurt the United States?

Mr. HANES. This, Mr. Tavenner, is a question that we are very frequently asked, and it is a very central question to the whole matter that you are considering.

I would like, therefore, to give a slightly extended answer to this, because there really is more than one part to this answer.

The basic answer lies in the nature of the Communist conspiracy, the international conspiracy and that part of it which exists in our country. It is a conspiracy. It is directed from outside, as you are well aware. It is directed basically from Moscow. It is aimed at subversion, at espionage, and at all of the other things that can weaken our country, weaken the strength that we have, which is the only strength in the world that prevents the Soviet Union from achieving world conquest.

It operates as a conspiracy. It operates secretly. It also operates openly at times when it can. But it always operates secretly.

It has agents, it has couriers. It is a large conspiracy around the world. It is an immense thing. It has unlimited funds and resources from the Soviet Union. In many ways, it is a large bureaucracy. It requires all of the things that any large organization does require. It requires people and requires communications. It requires orders being transmitted. It requires all of the type of movement that any large organization does.

Above all, I emphasize it requires communication. It is directed from outside. It requires, therefore, most particularly, a continuing and a trusted method of contact between its outside sources of direction (and, incidentally, frequently of financing and sometimes of personnel support) and that branch of the organization which exists in this country.

It is true that such communication can take place by letter, perhaps through a diplomatic pouch, or even by cable or telegraph or telephone, but the Communists, no more than any other secret organization, care to utilize methods like this when they can possibly avoid doing so.

They don't like to put things down in writing. I would not either if I were running a secret organization of this sort. There is too much danger of compromise.

Their own security regulations, in other words, have always provided, as has always been well known to us, that the maximum amount of communication shall be maintained by word of mouth, by individuals, by somebody going from one place to another with a message or in order to get the information or the instructions or the money, or whatever it may be that is required.

(At this point Mr. Doyle left the hearing room.)

Mr. HANES. On the basis of all of these things, it becomes apparent, it seems to me, that it is necessary for this large organization to be able to have its people in contact with others who are in this conspiracy elsewhere than in this country.

This could, of course, be achieved by others coming to our country to bring these messages. But we have laws and regulations which rather effectively control that. Therefore, what is left in this sense is that American Communists must go where they need to go; and, incidentally, this is useful in itself because there are some sources of direction, some institutions of what we might call higher subversive learning, which they couldn't attend by being brought here, they could go to only if they could travel.

Now, I have answered this at some length. This does not answer completely why the travel of any one Communist is a danger to us. But let me emphasize what I said in my testimony, that at the present time the state of the law and our regulations are such that it isn't just one Communist who is able to travel. It is any one of the members of this organization, and the total pattern of their travel is the pattern that makes this organization work.

This is the thing on which it is dependent to work. I don't say that if we had passport legislation we could cut off all means of their traveling and of their communicating. We could not. They could still perhaps travel illegally at times. You can go to South America and travel further illegally, you can do these things, but the record shows they have done practically none of this during the years they could.

Very few have taken advantage of this, and it seems to me for a good reason, because when you go around corners like that, when you stretch a trail thin, when you have to do things illegally and backward, you leave a much more open and obvious trail that somebody is going to pick up.

You have that many more people who have to be in on it, you have that much more danger of compromise and, therefore, again, they don't like to have to do this. In extremity, they would, and in extremity I suppose they would communicate by mail, too, and through the pouch. But in some things this is not enough.

I don't know, for example, how you would recruit an agent by mail, and I don't think they know, either.

Mr. MOULDER. And, too, don't you believe that visits by American Communist Party members from the United States to the Soviet Union strengthen their following into particular Communist practices in that country through the use of propaganda? They make propaganda use of those visits by Communists in the Soviet Union in their newspapers and publicity which they give as a result of those visits.

Mr. HANES. There is no question, Mr. Chairman, that this is absolutely true. Because it is a little more intangible I didn't mention this, but it certainly is another aspect of the danger.

But even the demonstrable and obvious dangers of the type that I mentioned, it seems to me, should be enough without our looking even beyond this.

Mr. MOULDER. That brings the Americans toward the people of the Soviet Union when that happens.

Mr. HANES. There is no question in my mind but that every time an American gets up in front of a Communist Party congress and starts praising the Soviet Union, the Soviet system, and tearing down the American system, certainly this has an effect wherever the Communists put it out throughout the world; and they certainly do put it

out throughout the world, loud and clear through their media. And it does work with some people in the more backward areas of the world, where people are more naive, I have no doubt that sometimes people take this as an authoritative voice from America.

Mr. MOULDER. And it also keeps down dissensions within the Soviet Union itself, discourages resentment or dissension of the people.

Mr. HANES. To the extent it can be made to appear that there is strong support for communism in America, it certainly does so.

Mr. JOHANSEN. In one exhibit introduced into the record this afternoon, we had a graphic illustration of that with the American woman representing wives and mothers embracing the North Korean with respect to the prosecution of the Korean conflict.

Mr. HANES. I think there is no question about that, sir. This sort of thing, with regard to North Korea particularly, was at a time when American troops were fighting a war there: anything, of course, that strengthens the belief that the Communists constantly try to foster, that there is a vast difference between the American people and their Government, of course this is something that does what you say.

I have tried, as I say, to suggest the total danger. Sometimes, of course, there is a specific danger, even in an individual traveling, that can be demonstrated. Not very often, however, because usually these dangers are things that we can only predict on the basis of our total knowledge of the Communist conspiracy and how it operates. They don't volunteer to us exactly what they are doing. Sometimes they do, and sometimes there is a demonstrable danger in an individual's travel.

Mr. TAVENNER. In that connection, I suppose in many cases you are compelled to use confidential information in coming to a decision or a conclusion in a particular instance?

Mr. HANES. I would go further than that. In the field of Communist passport matters, I would say that almost in every instance, you are required to use confidential information. Certainly in almost every instance if you are going to use the kind of criteria that I suggested, which is that you are talking about persons who are a real danger. A real danger means a current danger in most cases, not a danger that existed twenty years ago but which has since disappeared.

The more current our information is about someone in the Communist apparatus and the danger he poses, the more likely it is that we are unable to use it or to expose it publicly, and we must keep it confidential; because more than likely it comes from our primary sources of information, which are sources within the Communist Party. The greatest defense that we have, of all our defenses against the internal Communist menace, is knowledge of what it is doing.

We have other defenses, travel controls, and others, but the greatest of the defenses is knowledge. Any time we are forced to choose between the use of one defense and another, in other words to dry up a current source of knowledge in order to defend against, let us say, the travel of an individual, we must, however reluctantly, if we are made to take that choice, choose to maintain the greatest defense, which is knowledge, and accept the other risk, however grave it is.

But without question I would say that the primary sources, the fundamental sources of our information, on current Communist cases are confidential.

This does not mean, by the way, that the entire case is confidential by any manner of means. Generally the confidential information involved in a case is a relatively small part of the total case, yet an extremely important part, because it usually provides the truth, the proof beyond a reasonable doubt.

If you have something from a firsthand informant whom you know is all right because he is yours, this is what is called A-1 information, and this is the convincing proof on which you are willing to act.

All of the other things, then, that are, in general, able to be produced are given credence because of this.

The total case cannot be made public in most cases. However, we feel that in all cases, what we would call a fair summary of the confidential information, could be made available publicly, keeping confidential only those aspects required to protect the source of information.

But the general nature of the information, ample information to demonstrate why a passport was being refused, ample information upon which somebody could base a rebuttal if he were able to rebut it, this, we feel, could be made available.

Incidentally, I might point out one other thing, that you generally can't even prove that a Communist is a Communist or a Communist organization is a Communist organization without the use of confidential information. So very often the whole ground on which a case must rest also depends on that.

The Communists don't mail their party cards around, and generally you don't have them. The only way you know that they exist is that somebody has seen one or has helped write it or has seen the book, or something of that sort.

Mr. TAVENNER. In other words, for a program of security passport legislation to have any chance of being successfully administered, it would have to take into consideration the discretion on the part of the Secretary of State in his use of confidential information?

Mr. HANES. It would absolutely have to do this. As I say, this would not in any way preclude the Secretary giving a full ground on which he bases his refusal, but it would require that he be able to do whatever is necessary to protect investigative sources and methods; and it is usually the sources more than the nature of confidential information.

If I might make one comment in this connection, when people talk about confidential information, you frequently get a reaction indicating that they feel that you are talking about gossip or allegation or something vague, and the reason that it is confidential and you have to keep it confidential is that if you get it in the light of day it is so tenuous it would fall flat.

This, of course, is not in any sense the kind of information I am talking about. In fact, the harder, the more conclusive, the more current, and, indeed, the more authoritative any piece of confidential information in this field is, the less likely it is that we can make it public, because the more likely it is that it comes from one of our very highest, trusted, and best and most current sources of information, whereas the kind of information that you can make public is generally that which has long been in the public domain or creates no such problem.

I would also point out that the final decision under our old regulations, subject, of course, always to review by the courts, the final decision had to be made (and we always felt it was a wise regulation) by the Secretary of State personally. And the Secretary of State did make these decisions personally after going over this information.

As I pointed out before, if you feel that the Secretary is going to exercise this discretion in order to utilize some tenuous and worthless information in order to come to a decision, then you must feel that the country is in a lot graver danger than by his being arbitrary in the issuance of passports.

Mr. JOHANSEN. May I comment at that point, that I gather the import of your testimony, Mr. Hanes, to be that there must be some discretionary authority, and obviously that discretionary authority must be vested somewhere in a responsible Federal official in the State Department.

Mr. HANES. Yes, sir, absolutely.

Mr. JOHANSEN. I will be perfectly willing to be called to order by the chairman for this observation, but I find that testimony not only very sound and solid, but I find very important relevance in that principle to hearings which are currently being held before another committee of which I am a member, the House Committee on Post Office and Civil Service, with respect to Government security legislation.

I wish that that sort of a principle and statement could be enunciated as clearly and as brilliantly as I think the witness has with respect to that legislative field before that committee.

Mr. HANES. Thank you, sir. It certainly is true that in a field of this sort, unless somebody is trusted to exercise some authority and discretion, then you are not talking about anything that is capable of administration in any practical sense. You can surround administration by all the safeguards that are needed. I think you can surround it by perfectly ample safeguards. But somebody has to have some authority and discretion.

Mr. JOHANSEN. Would you conceive it possible to have such elaborate and extensive safeguards, and to still have the effect of shackling and handcuffing the operation?

Mr. HANES. Yes, sir, I would. Again, safeguards, it seems to me, have to be realistic also. There are some safeguards that are basic and elemental. But in the first instance, any administrative procedure in any major department of government, as is well known to this committee, anything that goes to the Secretary of State and goes through the kind of hearing process that we had in our former passport regulations is going to go through careful scrutiny at level after level after level, and finally, as I say, at the highest levels of the administration of government.

Mr. JOHANSEN. But not to the point that you completely, as I say, shackle the very intent of national defense and national security.

Mr. HANES. No, sir. As I say, somewhere, somewhere, there has to be a point where, having gone through this, somebody can make an authoritative decision.

Mr. JOHANSEN. Isn't the ultimate, final safeguard the right of adjudication in the courts?

Mr. HANES. That is what I was just going to say. This always exists. It seems to me that having provided these safeguards, which

I have mentioned and which I think are not shackling that the provision, on top of that of saying that even with all this nobody is allowed to make a decision, that does become shackles.

I would like to add one word to this, Mr. Johansen. One of the things that would most definitely be shackling as you suggested, is any legislation that enjoined the use of confidential information, because, as I say, to do that would be to create the illusion of controlling the travel of Communists whereas in operation there would be no effective control.

Mr. JOHANSEN. I am sure you meant to bring that out.

Mr. HANES. Yes, certainly.

Mr. TAVENNER. May I ask you to what extent derogatory information, which applicants so frequently harp upon as being denied them, is actually used when furnished by the State Department?

Mr. HANES. You are referring to these Communist cases, I suppose?

Mr. TAVENNER. Yes. In the Communist cases.

Mr. HANES. I listened to you here earlier this afternoon, and you have gone through this sort of thing a lot of times. It is well known to all of us, and it has certainly been tirelessly made apparent to us in all of these hearings, that they are not interested in having derogatory information, they are not interested in having anything else that they don't have or that they claim they want. If you give them what they want, then they just find something else that they want. What they want to do is harp on something they don't have and try on that basis to challenge the whole validity of the proceedings. They are not interested in derogatory or any other information because they are not interested in the facts. That is just what they are most distinctly interested in not having come out, the facts.

What they are interested in is trying in every way to drag out, to slow down, to stop, to cripple, to throw doubt on the validity of, to throw doubt on the legality of, to do every obfuscating thing possible that they can with regard to any kind of process, any kind of hearing, any kind of procedure, that is set up, and to seize on any one thing, such as the fact that they are not able to have certain derogatory information—in the cases where they have asked in some hearings for information which we didn't think at first should be made available and later on we found could be made available, this didn't satisfy them. They were no longer interested in the information once they could get it. All they were interested in was that they could claim they were being denied something.

If they got it, then they wanted to bury it under the table, because if it came out, then it was information and it was usually pretty derogatory information and they didn't want it then.

Mr. TAVENNER. The committee would be interested in knowing or getting an appraisal from you as to the value of a nonmembership oath requirement. Of course, that has been at this time invalidated by the Supreme Court's decision.

But I ask you that question for another reason. It has nothing to do with passports. We so frequently hear opponents of all loyalty programs saying, "Well, there is no use in asking a Communist to give an oath because he doesn't regard the sanctity of an oath and, therefore, it doesn't mean anything to him."

What has been the experience of your department in your oath requirement?

Mr. HANES. I feel very strongly that the oath requirement was one of the most provenly useful aspects of our regulations when we had it, and I would very strongly suggest that it be a part of any future legislation. I say this for two reasons: One is that a great many people who have applied have failed to execute the oath, and this permitted us, without the necessity of these endless hearings which they love, to just stop the proceedings because the applicant was not prepared to satisfy a basic requirement.

We have always felt that if they weren't prepared to do so, we need not proceed; and the regulations and Executive orders and laws always said there are certain requirements you had to meet, such as if you don't pay the \$10 you don't get a passport. If you don't fill out the oath, you don't get it.

A great many people have refused to do this. This has been one of the areas where the Congress has been concerned. It is a little bit like income tax and gangsters. It is hard to get——

Mr. TAVENNER. You are speaking of perjury prosecutions?

Mr. HANES. Yes. They are frightened. This has been something a great many of them have come to and have not gone over the hurdle. Then, of course, a tremendous number apparently never came forward at all seeking a passport because of the existence of this oath requirement. I say, apparently, because they are coming forth now.

But there were an awful lot of these people that did not try.

Incidentally, the kind of oath is not necessarily one of nonmembership. This is the point I wanted to make on this: We have felt that people going forward to get passports should, as a matter of procedure, be required to state whether they are, or have been, members of the Communist Party. The requirement was not that you take an oath first that you were never a member of the Communist Party in order to be eligible to receive a passport. The statement was considered on its merits under the regulations. Thus it is improper to refer to it, as many have, as a test oath. This term is often misunderstood. We have never felt that you have to get up and swear you are not a Communist and have never been a Communist, but the important aspect of this is that before you can proceed with a passport application, you have to state whether you have been a Communist. In other words, our requirement was that the oath be submitted, not that it be answered in a certain way. So it was not a requirement that you swore you had not been one, but that you were willing to state under oath what you had been.

As you say, there has been an awful lot of comment about this oath provision. We felt it to be tremendously useful. The vast majority of ordinary citizens (and these people whom we are talking about are not) never would worry about taking an oath of this sort. I have always been pleased to take an oath on this subject myself.

Mr. JOHANSEN. Actually it would involve a disclosure from the standpoint of Communist security concerns, a disclosure of confidential information, which, for security reasons, quite apart possibly from even fear of perjury prosecution, they wouldn't be willing to disclose. In other words, they don't want to surface.

Mr. HANES. Yes. That is the point I was trying to make. Absolutely.

I might add one or two points which I intended to cover in answer to some of Mr. Tavenner's earlier questions.

There is generally no way we can know or ascertain exactly why a particular Communist wishes to travel abroad. He is not going to tell us on his application that he wants to subvert us or that he has a Communist mission to accomplish. We would be exceedingly naive if we did not assume that a Communist is certainly not going to advance our foreign policy interests; nor is he going to miss any opportunity to engage in activities inimical to our national security even if such is not the primary purpose of his trip. We may have information in a particular case as to what a Communist intends to do abroad, but the more nefarious the purpose, the less likely we will be in a position to document it for the open record. Our foreign intelligence depends upon close cooperation with other friendly governments, and we cannot afford to prejudice our arrangements in this area. The facts in a particular case are almost always speculative, if for no other reason than because they relate to future action. However, as Circuit Judge Fahy said in his dissent in *Briehl v. Dulles*, "The Secretary cannot be required to assume that a real Communist Party member who is a citizen of or otherwise owes allegiance to the United States, can be relied upon to adhere to his obligation of citizenship when it conflicts with the responsibility he has assumed by party membership." Moreover, we have no way of knowing, at least until after the damage has been done, where a Communist is going and what he is doing. (Once a person with a passport is out of the country we have no control over where he goes or what he does.) His travel and his actions are governed entirely by whatever country he is able to and wishes to enter. Furthermore, Communists are notorious for misrepresenting the purposes of their travel and for that matter the places they intend to visit. They can always manufacturing a "sick grandmother" they must visit or any number of compassionate reasons for the proposed travel.

Legislation which would require the Department to demonstrate the specific anticipated harm to be caused by the travel of a particular Communist, as some well-meaning commentators have suggested, would in my opinion place an intolerable burden on the Department and render ineffective any realistic control over the travel of Communists abroad. And, of course, legislation in this area should not be restricted to members of the Communist Party or persons under party discipline or control, but should include any person, regardless of his organizational affiliations, who is going abroad knowingly to engage in activities in furtherance of the Communist conspiracy. Whatever may be said about the Communists, they are not dumb, and they are very adept at utilizing non-Communists to accomplish their purposes. We know, for example, that most of the Communist underground apparatus maintains no demonstrable connection with the Communist Party. Top espionage agents are rarely formal members of the party. This problem is clearly apparent in the far-reaching effect of the Dayton case, where the Supreme Court held that, quite apart from the question of Communist Party membership, the Secretary of State did not have statutory authority to deny a passport to a person whom he has found to be going abroad knowingly to engage in activities in furtherance of the Communist movement.

Let us not forget with reference to this matter that a Communist utilizing the vast resources of the party has little trouble documenting the "fact" that the purpose of his travel abroad is innocuous. Expe-

rience has shown that a Communist can produce an endless stream of affidavits from Communist lawyers, doctors, etc., attesting to the "fact" that he is going abroad to paint or to sing or for his health. We should not be taken in by so obvious a tactic.

Mr. MOULDER. Proceed with the next question.

Mr. TAVENNER. I believe that is all, Mr. Chairman.

Mr. MOULDER. Without excusing Mr. Hanes as the witness, the committee will convene in executive session immediately.

The record will show that the subcommittee is now convening into executive session.

(Whereupon, at 4:25 p.m., the subcommittee proceeded into executive session, at the conclusion of which it reconvened in public session, and the following business was transacted:)

Mr. MOULDER. The committee after executive session returns and is now in open session.

The committee, Mr. Hanes, is very much impressed with the clear, frank statements which you have made regarding the passport security regulations and practices and the state of the law with regard to them. You have the thanks of the committee for the contribution you have made to its efforts in this field.

The subcommittee, after discussion of the matter, has unanimously agreed to request you to report specifically to the committee, orally or in writing, any suggestions that you have to offer regarding the form that a bill should take to cover the subjects of chapters 2 and 3 of the provisions of the immigration and passport security bill, referred to this committee as part of H.R. 2232.

However, I think I should point out to you that this committee is concerned only with the security provisions of the passport laws, and we do not consider that matters relating to broader subjects in the field of passport law come within our jurisdiction.

In other words, we only invite your comment and recommendations on the security phases of this subject under consideration by this committee.

In response to this action by the subcommittee in executive session, I extend this invitation to you, and on behalf of this subcommittee I repeat our appreciation for your important and helpful cooperation in our hearings and deliberations on legislation to amend and strengthen the security provisions of the passport laws.

Thank you very much.

Mr. HANES. Mr. Chairman, I will be very happy to respond to that request. It will take perhaps a few days. I will be glad to submit my comments concerning these chapters and concerning my thoughts.

Incidentally, I have had occasion to look at the chapters you referred to of the passport security bill, and while there are a number of amendments I would suggest, I think my ideas are very close to the ideas expressed therein.

Mr. MOULDER. I see. Thank you.

The committee will be adjourned.

(Members of the subcommittee present at time of adjournment were Representatives Moulder and Johansen.)

(Whereupon, at 4:30 p.m., Friday, June 5, 1959, the subcommittee adjourned subject to the call of the Chair.)

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: July 23, 1959

FROM : C. D. DeLoach

SUBJECT: Publication "Control of the Arts in the Communist Empire"
 Consultation with Ivan R. Bahriany
 June 3, 1959
 For release July 27, 1959

Tolson _____
 Belmont _____
 DeLoach _____
 McGuire _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Holloman _____
 Gandy _____

There is attached a copy of the above-mentioned report of the House Committee on Un-American Activities, as well as a copy of release 7/27.

ACTION: For referral to the Domestic Intelligence Division for appropriate review.

REW:FML

(4)

Enclosures

1--Mr. Belmont (with copy publication)

1--Mr. Jones

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ENCLOSURE

REC-33

EX-13

61-7552-4225

JUL 31 1959

Huelskamp
 Liaison

Reviewed and found to
 contain no information
 of interest to espionage
 action or which requires
 any action. 87. 7/29/59

53 AUG 5 1959

COMMITTEE ON UN-AMERICAN ACTIVITIES
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON, D. C.

CONTROL OF THE ARTS IN THE COMMUNIST EMPIRE

The so-called cultural exhibits and exchanges of the Soviet Union in the free countries are designed to cover up the brutal reality which exists behind the Iron Curtain, Ivan Bahriany, Ukrainian writer and artist, who escaped from the regime and is currently president of a coalition of all Ukrainian democratic parties in exile, testified in a consultation with the Committee on Un-American Activities, made public today.

Mr. Bahriany stated: "I think that the so-called cultural exchanges and exhibits have many dangerous features which Western nations, including the United States, do not realize.

"One of the most important purposes of these exchanges is to demoralize the Western countries, including the United States of America. It would be interesting for many Americans to know that these Soviet exchanges and exhibits portray, here in America and in many other countries, things which do not exist in the Soviet Union.

"The Soviet authorities endeavor to convince the world that they have such attainments in the arts, in ballet, in music, and in other branches of culture because there exists cultural freedom in the U.S.S.R.

"In reality there is none such because there is no cultural freedom at all.

"Therefore, by showing these cultural attainments, the so-called attainments, they try to hide what they do not have. They do not have freedom of literature. They have no freedom of artistic creativeness, freedom of assembly, freedom of religion, and freedom of thought.

"They also hide the absence of literary freedom. There are no free writers who can write what they want. Actually they conceal with these exhibits here the so-called "Socialist realism" and the dictatorship of the Communist Party.

"Furthermore, this cultural exchange covers up the actual suppression of the national cultures of many peoples in the Soviet Union. Why at this time, when they show attainments of the Soviet state in the literary and artistic fields, at this very moment, they are suppressing the culture of the Ukrainians, Georgians, Armenians -- and Byelorussians -- and the Baltic peoples, who have no freedom to develop their own culture.

"They hide the Russification program which is even more dangerous for the free world, inasmuch as Moscow is perpetrating a vast spiritual genocide against the many peoples it controls."

ENCLOSURE

- 758 - 4225

HUAC.

For Release, Monday, July 27, 1959

221

CONTROL OF THE ARTS IN THE COMMUNIST EMPIRE

Page 2.

Mr. Bahriany recounted the imprisonments and persecutions to which he was subjected as a Ukrainian writer and artist and the mass liquidations and terror inflicted on artists and writers whose works are considered disloyal to the Communist regime. Continuing, he stated:

"The Soviet Government considers that art should not be left for art's sake. Every art should be subordinate to political objectives. Therefore, they are very much against modern paintings and they are against modern musicians. Many composers suffered persecution because their music was not in conformity with the objectives of the party."

"If an artist or painter writes or paints or composes music individually and not according to the party, he is considered a dangerous enemy of the party."

Commenting on the American National Exhibition in Moscow in July of this year, at which will be displayed the works of a number of artists with extensive records of affiliation with the Communist movement in the United States, Mr. Bahriany stated:

"The Soviet Government will certainly exploit to the fullest extent the very fact that the United States Government is sending exhibits by pro-Communist artists. They will say: 'You see, even the greatest capitalist country, America, has no one but Communist artists.'"

"This I think is not only greatly detrimental to American prestige, but also criminal because after the Hungarian uprising, after the upheavals in Poland and after Tibet, now what we see is the United States trying to support the prestige, the false prestige, of the Communist system in the U.S.S.R."

"When we send exhibits of social satire or cartoons, this damages American prestige very strongly in the Soviet Union."

"The Communist officials and elite writers will say, 'Well, you might not believe us when we say everything is better in the U.S.S.R. than in America, but now you have American artists who satirize the American way of life.'"

"To have the freedom of criticizing American art and science here in America is perfectly all right; but for the United States Government to criticize American life through American artists in the Soviet Union is a crime. The Russians will interpret that entirely differently than we would interpret it."

* * *

Jarvis Anderson

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LPT

F308



61-7582-4225

ENCLOSURE

ENCLOSURE

Office Memorandum

UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: July 28, 1959

FROM : Mr. F. J. Baumgardner

SUBJECT: COMMUNIST TRAINING OPERATIONS
HEARING BEFORE HOUSE COMMITTEE ON
UN-AMERICAN ACTIVITIES
PUBLIC SESSION
July 22, 1959

- 1 - Mr. Belmont
- 1 - Mr. DeLoach
- 1 - Mr. Baumgardner
- 1 - Mr. Bland
- 1 - Mr. Dise
- 1 - Mr. [redacted]
- 1 - Mr. Reddy

Tolson _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Holloman _____
Gandy _____

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b7C

Attached is a Photostat of a transcript of the July 22, 1959, session of the captioned hearing before the House Committee on Un-American Activities (HCUA). The original transcript of the hearing was obtained by Mr. DeLoach's office on July 23, 1959.

The purpose of the captioned hearing, as pointed out by Chairman Walter at the opening session on July 21, 1959, was to look into the activities of individual communists who were engaged in teaching in noncommunist institutions as well as in all types of forums and schools operated by the Communist Party (CP) itself. Walter further noted that after the Subversive Activities Control Board (SACB) had ordered the Jefferson School of Social Science to register as a communist front organization on June 30, 1959, the CP dissolved the Jefferson School of Social Science (JSSS) and created a new school known as the Faculty of Social Science (FSS) which is merely the successor to the JSSS.

The following individuals, all of whom are included in the Security Index, appeared in response to subpoena.

1) LEON JOSEPHSON, an instructor at the FSS. Josephson furnished his name and occupation; admitted he was a nonpracticing attorney; admitted that he had traveled abroad on a U. S. passport, and also admitted he had studied Soviet law. Josephson took the 5th Amendment as to all questions relating to his CP membership; whether he had taught courses on Soviet law at the JSSS and the FSS, and whether he had written articles on Soviet law for various communist publications.

2) HENRY KLEIN, an instructor at the FSS. Klein furnished his name and educational background and testified at some length regarding his prior employment at the New York public school system. He took the 5th Amendment as to all questions relating to his CP membership and activities and regarding any courses he had taught at the JSSS or the FSS.

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EBR:pat
(8)

Enclosure

ENCL. BEHIND

67 AUG 14 1959

DATE 3/9/82 BY SP6

REC-28

12 AUG 4 1959

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61-7582-4226

Memorandum for Mr. Belmont
RE: COMMUNIST TRAINING OPERATIONS
HEARING BEFORE HCUA
7/22/59

3) ESTHER DROPKIN UNGER (ESTHER CANTOR), legislative director of the New York State CP and instructor at the FSS. Cantor identified herself as Esther Cantor and furnished information regarding her educational background. She took the Fifth Amendment as to all questions regarding her employment history; regarding her CP membership and activities, and regarding any courses she taught at the JSSS or the FSS.

4) SIDNEY FINKELSTEIN, instructor at the FSS. Finkelstein furnished his name and educational background and testified he was a writer and lecturer on "psychology of art and music." Finkelstein took the Fifth Amendment when questioned regarding any lectures he had given or courses he had taught at the FSS. He likewise took the Fifth Amendment as to all questions regarding his CP membership and activities.

5) SUSAN HEILIGMAN FRANK (SUSAN WARREN), instructor at the FSS. This witness identified herself as Susan Warren and furnished information regarding her educational background including postgraduate work in Chinese history. She denied ever having visited China but refused to state whether she had lectured on China at the JSS or the FSS. She took the Fifth Amendment when questioned regarding her CP membership and activities.

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b7c

6) LOUIS WEINSTOCK, member of the national committee, CP, USA, and instructor at the FSS. Weinstock furnished his name and admitted he was a naturalized citizen but took the Fifth Amendment as to all questions regarding his CP membership and activities; whether he had ever taught at the JSSS or the FSS or at other CP schools and whether he had ever applied for a passport or had traveled abroad.

7) [redacted] furnished his name and educational background and testified that he had recently signed a two-year contract as [redacted] European history at George Washington University. He took the Fifth Amendment when questioned regarding his membership in the Young Communist League during his undergraduate days at Harvard and also regarding his past or present membership in the CP. [redacted] denied he had ever been in any way connected with communist training schools and he attacked the Committee for summoning him to testify at a hearing dealing with such schools. Representative Walter reminded [redacted] the hearing was not restricted to schools actually run by the CP but also was intended to cover the activities of communist professors who subtly indoctrinated their students.

Memorandum for Mr. Belmont.
RE: COMMUNIST TRAINING OPERATIONS
HEARING BEFORE HCUA
7/22/59

ACTION:

This memorandum has been prepared for information. Portions of the transcript relating to the various witnesses will be transmitted to the interested offices by separate communications.

BBR
Jul

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (61-7582)

DATE: 7/24/59

FROM : SAC, LOS ANGELES (62-1664)

SUBJECT: HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

Re: Washington Field Office letter to Bureau dated 5/29/59 which furnished copies of the published transcript of testimony of the HCUA hearings at Los Angeles on 9/2-5/58 and 2/24-25/59 on the subject The Southern California District of the Communist Party: Structure-Objectives-Leadership.

In accordance with Bureau instructions set out in relet, Los Angeles is herewith submitting its final letter following the completion of the review of this testimony.

A total of sixty-five witnesses appeared before the Committee during these hearings. One of these was Mr. WILLIAM A. WHEELER of the Committee's investigative staff who took the stand briefly to state how he had notified one of the witnesses to appear. Of the remaining witnesses, all but one, were completely uncooperative and involved various amendments to the Constitution in refusing to answer Committee questions. The one exception was only partly cooperative to the extent that he answered questions concerning himself only and his former connections with the Party, but refused to furnish any information or otherwise identify anyone else.

No one was identified as a Communist by any of the witnesses.

The Bureau has been advised separately by report and letter of the information furnished by the partially-cooperative witness, above mentioned, namely BERNARD BURTON,

2-Bureau
1-Los Angeles

MMB/VMC
(3)

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61-7582-4227

AUG 3 1959

SUBV CONTROL

62 AUG 7 1959

LA 62-1664

Bufile 100-44179, former Communist and one time employee of the "Daily Worker".

A recommendation has been forwarded to the Bureau regarding interview with BERNARD BURTON.

Recommendations have also been forwarded under individual caption regarding additional investigation or the advisability of interviewing the various individuals who appeared before the hearings

-C-

F B I

7/27/59

Date:

Transmit the following in _____

AIRTEL

AIRMAIL

(Type in plain text or code)

Via _____

(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, INDIANAPOLIS (100-11702)

SUBJECT: HCUA HEARINGS,
GARY, INDIANA
2/10/58
IS - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/9/82 BY SP6 b/j

Re Indianapolis Teletype to Bureau dated 7/20/59.

On 7/24/59 VICTOR MALIS and ALFRED SAMTER, re-
presented by ARTHUR DARONATSY, SI subject who is an attorney
in Gary, Indiana; and [redacted] represented by [redacted]
[redacted], an attorney in Chicago, Illinois, appeared be-
fore USDC Judge LUTHER M. SWYGERT, Northern District of
Indiana, at Hammond, Indiana, for arraignment.

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b7C

DARONASTY requested that his clients be allowed
to withhold their pleas until he had additional time to re-
view the indictments returned against them by the FGJ,
Northern District of Indiana, at Hammond, on 7/17/59, for
violation to Title 2, Section 192, United States Code, and
to decide whether he would continue to represent them.
Judge SWYGERT granted the request and arraignment was post-
poned until 8/3/59.

- 3 - Bureau (RM)
2 - Chicago (100-34358) (RM)
2 - Denver (RM)
7 - Indianapolis
 (1 - 100-8843 (Alfred Samter)
 1 - 100-9050 [redacted]
 1 - 100-1624 (Vic Malis)
 1 - 100-2239 (Arthur Daronatsy)
 1 - 100-9442 (Edward Yellin)

REC-3

61-7582-4228

25 JUL 30 1959

LAF/emc
(13)

RECEIVED
COMMUNICATIONS SECTION
JUL 28 1959

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

[redacted] entered a plea of not guilty. His attorney, [redacted] informed the court that he intended to file a motion to dismiss the indictment and requested additional time to prepare his motion. The court granted a postponement until 8/12/59 for this matter.

SAMTER and MALIS have posted \$1,000 bonds. [redacted] has been released on his own recognizance.

For information of Denver Office, FGJ sitting at Hammond, Indiana, returned true bills against ALFRED SAMTER, VICTOR MALIS, [redacted] and EDWARD YELLIN, on 7/17/59, and secret indictment charging each with violation of Title 2, Section 192, United States Code issued, in that on 2/10/58 they refused to give testimony before HCUA in Gary, Indiana.

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b7c

Bond has been set at \$1,000 in each case. USMS have been serving warrants. Indianapolis not aware of whether or not EDWARD YELLIN has been served yet.

Denver requested to determine through USM, Denver, Colorado, when YELLIN is served and to keep Bureau advised of developments in connection with him.

The Bureau will be kept advised of developments.

Office Memorandum

• UNITED STATES

GOVERNMENT

TO : Mr. Tolson

DATE: July 23, 1959

FROM : C. D. DeLoach

SUBJECT: Hearings House Committee on
Un-American Activities

Tolson	_____
Belmont	_____
DeLoach	_____
McGuire	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
W. A. Sullivan	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

There is attached a copy of the hearing dated April 21, 1959, entitled "Passport Security--Part 1, Testimony of Harry R. Bridges" before the House Committee on Un-American Activities.

Indexed 111 39-915-3516

RECOMMENDATION: That this be forwarded to the Domestic Intelligence Division for appropriate action.

REW:FML

(4)

Enclosure

1--Mr. Belmont (with 2 copies of hearing)

1--Mr. Jones

ENCL. ATTACHED

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ENCLOSURE

copy has been sent to
SF for review

REC- 36

61-7582-4229
12 AUG 5 1959

60 AUG 12 1959

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ENCLOSURE



ENCLOSURE

61-7582-4229

PASSPORT SECURITY—PART 1

(TESTIMONY OF HARRY R. BRIDGES)

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH CONGRESS

FIRST SESSION

APRIL 21, 1959

INCLUDING INDEX

Printed for the use of the Committee on Un-American Activities



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1959

COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

FRANCIS E. WALTER, Pennsylvania, *Chairman*

MORGAN M. MOULDER, Missouri

DONALD L. JACKSON, California

CLYDE DOYLE, California

GORDON H. SCHERER, Ohio

EDWIN E. WILLIS, Louisiana

WILLIAM E. MILLER, New York

WILLIAM M. TUCK, Virginia

AUGUST E. JOHANSEN, Michigan

RICHARD ARENS, *Staff Director*

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *
18. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

- * * * * *
- (q) (1) Committee on Un-American Activities.
(A) Un-American activities.
(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 86TH CONGRESS

House Resolution 7, January 7, 1959

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

SYNOPSIS

The instant hearings on passport security are a continuation of hearings held on this subject beginning May 23, 1956.¹

In opening the hearings, the chairman of the committee stated:

Since the last hearings on this subject matter by this committee, the Supreme Court of the United States on June 16, 1958, in the case of *Rockwell Kent and Walter Briebl v. The Secretary of State*, has rendered a decision the effect of which is to completely nullify any control on a security basis in the issuance of passports.

Today, now, the bars are down. Communist agents, propagandists, and Communist sympathizers have a blanket invitation to come and go as they will. I hardly need add a statement, which is obvious, namely that this situation is of direct benefit to the international Communist movement, and of direct detriment to security interests of our Nation.

The first witness whose testimony is hereby published, Mr. Harry Bridges, appeared in response to a subpoena and identified himself as president of the International Longshoremen's and Warehousemen's Union.² At the outset of the interrogation, Mr. Bridges invoked the fifth amendment in refusing to answer a question as to whether or not he had ever used the name Harry Dorgan which, according to Agnes Bridges, former wife of Harry Bridges, was the name inscribed in Bridges' Communist Party membership book. Mr. Bridges stated that the testimony which was given under oath before a legislative committee in the State of Washington by Agnes Bridges "was later on repudiated" by her, but he persisted in his refusal to answer the question as to whether he had used the name Harry Dorgan in a Communist Party book.

Mr. Bridges testified further that on July 16, 1958, he filed an application for a passport; that in filling out the application he omitted answers to two questions: "Are you now a member of the Communist Party?" and "Have you ever been a member of the Communist Party?"—because of recent decisions of the Supreme Court. In response to the query as to whether on the date of filing his application he was "a person who had ever been a member of the Communist Party," Mr. Bridges replied: "I must decline to answer, and I seek the protection of the fifth amendment."

The testimony discloses that Mr. Bridges, accompanied by William Glazier, executive assistant to the officers of the International Longshoremen's and Warehousemen's Union, at the expense of ILWU, traveled to Europe for the purpose of "travel, recreation, and study

¹ See hearings entitled "Investigation of the Unauthorized Use of United States Passports—Parts 1-4."

² Expelled from the CIO in 1950 on the ground of "Communist domination."

of longshoring methods and collective bargaining." Although the passport application listed the countries to be visited as England, France, Italy, Holland, Israel, Egypt, U.S.S.R., and India, the itinerary included certain Iron Curtain countries not listed on the application. During the trip abroad, Mr. Bridges participated in a number of conferences with leading European Communists and gave interviews and issued statements to various Communist publications, commending the Communist controlled labor organizations in the Iron Curtain countries. He also sent to the United States a series of articles in similar vein which were published in The Dispatcher, official publication of the ILWU.

Mr. Bridges testified that he expected shortly after the instant hearings to go to Tokyo, Japan, on a U.S. passport to participate in the Pacific-Asia Dock Conference which, the committee is informed, consists principally of representatives of certain Communist-led labor organizations. In this connection, the following excerpt from the testimony is significant:

Mr. ARENS. In the event of war in Asia would you advocate a strike for the purpose of impeding the shipment of arms to our allies in Asia?

Mr. BRIDGES. Now, this is all mixed up here. We start off by talking about a fight between Chiang Kai-shek, who I think is a bum, and the mainland of China. That is something between the Chinese, and you asked me my position on that.

Mr. ARENS. Would you advocate a strike in order to curtail the shipment of supplies in the event the U.S. Government would ship arms to Formosa?

(The witness conferred with his counsel.)

Mr. BRIDGES. Are we still talking about a war between Formosa and mainland China and you asked me what my position was?

Mr. ARENS. Yes.

Mr. BRIDGES. I would object in every possible way I could. You are asking me. Then you asked me—

Mr. ARENS. No, let's just stay with the question, Mr. Bridges. Would you, as president of ILWU, advocate a strike in order to impede the shipments of supplies to Formosa if the U.S. Government were shipping supplies to Formosa and Formosa and Red China were at war?

Mr. BRIDGES. I don't know what this has got to do with passports. But I want to relate to you the position—

Mr. ARENS. Would you kindly answer the question?

Mr. BRIDGES. I will answer it in my way, Mr. Counsel, if you want an answer and if you will give me a chance.

The CHAIRMAN. Answer the question.

Mr. BRIDGES. All right. We are still dealing with a possible attempt, as I understand it, of Chiang Kai-shek to invade the mainland of China. I am trying to tell you that my attitude toward that, I would strenuously object and do what I could to oppose the United States engaging in such a suicide enterprise.

Mr. ARENS. Would you kindly answer the question? Would you exercise your prerogatives as president of ILWU

in the direction of using a strike of longshoremen so as to impede the shipments of these armaments which we have been discussing?

Mr. BRIDGES. I have no such prerogative. You are all mixed up.

Mr. ARENS. Would you advocate a strike?

Mr. BRIDGES. I would prefer to wait and see what would happen at that time. I don't know. At this stage of the game I don't know what I might do.

If I felt doing that would keep the United States from going into such a suicidal enterprise and meaning the loss of life in the United States my position at the moment would be, I think I would.

Finally, attention is drawn to the following testimony:

Mr. ARENS. You have a U.S. passport, however?

Mr. BRIDGES. I do.

Mr. ARENS. Had you ever applied for a U.S. passport prior to the Kent-Briehl decision?

Mr. BRIDGES. No, Mr. Arens. There was too many people in this country trying to get me out without a passport— * * *

PASSPORT SECURITY—PART 1

(Testimony of Harry R. Bridges)

TUESDAY, APRIL 21, 1959

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10 a.m., in the caucus room, Old House Office Building, Hon. Francis E. Walter (committee chairman) presiding.

Subcommittee members: Representatives Francis E. Walter, Pennsylvania; Morgan M. Moulder, Missouri; Clyde Doyle, California; Donald L. Jackson, California; and Gordon H. Scherer, Ohio.

Committee members also present: Representatives William M. Tuck, Virginia; and August E. Johansen, Michigan. (Appearance as noted.)

Staff members present: Richard Arens, staff director; and Donald T. Appell, investigator.

The CHAIRMAN. The committee will come to order.

The hearings which begin today are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress, which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws, the subject matter of which is within the jurisdiction of the committee.

(Representative Scherer entered the room.)

The CHAIRMAN. In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion. In addition, the committee has before it numerous proposals and recommendations to strengthen our legislative weapons designed to protect the internal security of this Nation.

I shall now read the resolution of the Committee on Un-American Activities, authorizing and directing the holding of the instant hearings adopted January 23, 1959:

Be it resolved, That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Washington, D.C., and at such other place or places as the chairman may indicate, on such date or dates as the chair-

man may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following:

1. The advisability of reporting favorably to the House for enactment, amendments to section 215 of the Immigration and Nationality Act as contained in Title IV—Immigration and Passport Security, of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities for its consideration.

2. The advisability of recommending legislation expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority to the Secretary of State to issue substantive regulations in the passport field, as set forth in the Annual Report of the Committee on Un-American Activities for the year 1956.

3. The development of factual information which may be of assistance to the committee and to Congress for use in their consideration of the legislative proposals enumerated, or amendments thereto.

4. The execution by the administrative agencies concerned of all laws and regulations, within the jurisdiction of this committee, relating to the granting of passports.

Be it further resolved, That the hearings may include any other matter within the jurisdiction of the committee which it, or any subcommittee thereof appointed to conduct this hearing may designate.

I shall now read the order of appointment of the subcommittee to conduct these hearings:

To Mr. RICHARD ARENS,
Staff Director,
House Committee on Un-American Activities:

Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representatives Morgan M. Moulder, Clyde Doyle, Donald L. Jackson, and Gordon H. Scherer as associate members, and myself, Francis E. Walter, as chairman, to conduct hearings in Washington, D.C., Tuesday, April 21, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said day or succeeding days, as it may deem necessary.

Please make this action a matter of committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this 24th day of March 1959.

FRANCIS E. WALTER,
Chairman, Committee on Un-American Activities.

Under date of May 23, 1956, this committee conducted a series of hearings here in Washington with respect to procurement and use of American passports by persons in the service of the Communist conspiracy.

Those hearings in 1956 developed valuable information relating to passport security and travel control which has been the subject of recommendations for legislation by the Committee on Un-American Activities, and which has been, in part, the basis of the provisions of a bill on this subject, H.R. 2232, which I introduced and which is currently pending before the Committee on Un-American Activities.

Since the last hearings on this subject matter by this committee, the Supreme Court of the United States on June 16, 1958, in the case of *Rockwell Kent and Walter Briehl v. The Secretary of State*, has rendered a decision the effect of which is to completely nullify any control on a security basis in the issuance of passports.

Today, now, the bars are down. Communist agents, propagandists, and Communist sympathizers have a blanket invitation to come and go as they will. I hardly need add a statement, which is obvious, namely that this situation is of direct benefit to the international

Communist movement, and of direct detriment to security interests of our Nation.

It is more than a coincidence that these very hearings beginning today are the subject of vigorous attack by the Moscow Radio in its international broadcasts, and that just last evening at the Willard Hotel here in Washington, the Communist front, the Emergency Civil Liberties Committee, held a rally to attempt to whip up enthusiasm against these instant hearings. I have often said that the effectiveness of this committee is in direct ratio to the intensity of the attack against the committee by the Communist apparatus.

It is, of course, not sufficient for us to view with alarm, lament, and bewail. Effective action must be taken promptly to protect the security of this Nation. In the course of these hearings we shall be interrogating a number of people who have in the recent past been issued U.S. passports for travel abroad. Notwithstanding charges to the contrary, these people have not been summoned before this committee capriciously, for the sake of exposure or for any purpose other than to enable this committee to develop factual information for its legislative purposes.

Because of the vast scope of the subject matter and the great number of witnesses who could be subpoenaed, we expect in these hearings over the course of the next few days, only to sample types and patterns of cases. Should we attempt to interrogate in these hearings even a significant percentage of possible witnesses on whom we have compiled information we would be engaged in this one project for months to the detriment of other equally important projects on which the committee is working in other areas.

It is the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

Mr. Arens, will you call your first witness?

Mr. JACKSON. Mr. Chairman, may I make a request at this time?

The CHAIRMAN. Mr. Jackson.

Mr. JACKSON. The chairman made reference to the meeting held, I believe, last night at the Willard Hotel, and I would like to request, Mr. Chairman, that this call to the meeting be duplicated, attached to a copy of the committee's publication "Operation Abolition" and sent to all Members of the House in order that they may be kept abreast of what is going on.

The CHAIRMAN. I am sure that the Members of the House would recognize the names of the speakers. They are quite familiar.

Mr. JACKSON. Those are being documented, and I will ask at a proper time to have the names of the speakers incorporated in the record.

Mr. ARENS. May the record show that more than a quorum of the subcommittee is present.

The CHAIRMAN. Yes. Let the record show present Messrs. Doyle, Scherer, Jackson, and myself.

Mr. ARENS. Mr. Chairman, if you please, the first witness will be Mr. Harry Bridges.

Kindly come forward and remain standing while the chairman administers an oath.

The CHAIRMAN. Raise your right hand, please.

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRIDGES. I do.

The CHAIRMAN. Be seated.

TESTIMONY OF HARRY R. BRIDGES, ACCOMPANIED BY COUNSEL,
GEORGE R. ANDERSEN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. BRIDGES. My name is Harry Bridges. I am the president of the International Longshoremen's and Warehousemen's Union, independent and unaffiliated.

Mr. ARENS. And your residence, please, sir?

Mr. BRIDGES. San Francisco. My business residence, 150 Golden Gate Avenue. San Francisco.

Mr. ARENS. You are appearing today pursuant to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. BRIDGES. Right.

Mr. ARENS. And you are represented by counsel?

Mr. BRIDGES. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ANDERSEN. George R. Andersen, 240 Montgomery Street, San Francisco.

Mr. ARENS. Counsel, would you kindly tell us the law firm with which you are associated?

Mr. ANDERSEN. Gladstein, Andersen, Leonard & Sibbett.

Mr. ARENS. Is Mr. Richard Gladstein the senior member of that firm?

Mr. ANDERSEN. Two of us are.

Mr. ARENS. The reason I asked, we had correspondence with reference to this particular witness.

Mr. ANDERSEN. Mr. Gladstein and I are senior members of the firm.

Mr. ARENS. All right, sir.

Mr. Bridges, were you present a few moments ago when the chairman of this committee read the statement announcing the holding of these hearings? You were here in the hearing chamber, were you not?

Mr. BRIDGES. I heard a statement, yes.

Mr. ARENS. Have you used any name other than the name of Harry Bridges?

Mr. BRIDGES. Have I?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. Never.

Mr. ARENS. Have you ever used the name Harry Dorgan, D-o-r-g-a-n?

Mr. BRIDGES. Just a minute.

(The witness conferred with his counsel.)

Mr. BRIDGES. I would like to ask a question, Mr. Counsel.

Mr. ARENS. Yes, sir.

Mr. BRIDGES. My understanding, and we tried to find the information before we came here, is that my appearance here is in connection

with passport legislation, and I am just wondering, and I have reasons to inquire what the relevancy of that question is toward passport legislation?

Mr. ARENS. The relevancy of this particular question, sir, is to establish your identity. For the purposes of identification have you ever used the name Harry Dorgan, D-o-r-g-a-n?

Mr. BRIDGES. I have given you my name.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to whether or not he has ever used the name Harry Dorgan.

The CHAIRMAN. You are directed to answer the question, Mr. Bridges.

Mr. BRIDGES. Excuse me.

(The witness conferred with his counsel.)

Mr. BRIDGES. Mr. Counsel, the reason for my discussions with the lawyer, the name Dorgan came up—I am asking you a question without answering at the moment because the purpose of my question—has crept up a couple times in more than 20 years of litigation against me, 5 or more court hearings, and 2 trips to the U.S. Supreme Court.

Now, if answering this question opens up again over 20 years of litigation that has been settled by the courts and waives my immunity to my constitutional rights, I am just wondering if that is the case?

Mr. ARENS. No.

(Representative Johansen entered the room.)

Mr. BRIDGES. Otherwise——

Mr. ARENS. The purpose of this question is not to open up anything that has been decided at all. The purpose of this question is to ascertain your identity.

Would you kindly answer the question now whether or not you have ever used the name Harry Dorgan, D-o-r-g-a-n?

Mr. BRIDGES. No, I am trying to inquire, Mr. Counsel, from you that if I answer this question then do you take the position that I have waived my right to use the fifth amendment on similar questions. Of course, this is only one question of thousands that can be answered or asked along the same line.

Mr. ARENS. We would have to wait and see how the record developed. We could not commit ourselves on any succeeding questions.

Would you kindly answer the question: Have you ever used the name Harry Dorgan, D-o-r-g-a-n?

Mr. BRIDGES. In view of that question I want to confer.

(The witness conferred with his counsel.)

Mr. BRIDGES. No, I refuse to answer on the basis of my right under the Constitution.

Mr. ARENS. Which constitutional provision are you invoking?

Mr. BRIDGES. Primarily the fifth amendment.

Mr. ARENS. Do you honestly apprehend, sir, if you told this committee now truthfully, while you are under oath whether or not you have ever used the name Harry Dorgan, D-o-r-g-a-n, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. BRIDGES. It seems to me that is a legal question. I really believe that one of the purposes of the question could lead to a series of other questions and open up a lot of litigation against me which could possibly endanger me.

Mr. ARENS. So the record may now be clear, I shall read to you, sir, testimony given under oath before the Joint Legislative Fact-Finding Committee on Un-American Activities in the State of Washington by a lady by the name of Agnes Bridges.

Q. I will ask you, Mrs. Bridges, did you ever see a Communist Party membership book of Harry Bridges?—A. Yes, many a time.

Q. You have seen his membership book many times?—A. Yes.

Q. Have you ever had this membership book in your hands?—A. Quite often.

Q. Quite often. Will you describe this membership book for us?—A. Well, I would say it was just large enough to put in a good-sized envelope.

Q. Large enough to put in an envelope?—A. Yes.

Q. And does it open up?—A. Yes.

Q. Well, supposing you go on and describe it for us?—A. Well, I would say it was about that long (illustrating), and quite narrow, and about that wide.

Q. Did it have any stamps in it?—A. It did, yes. It had a design—

Q. It had stamps. What's that?—A. Kind of a little design on the stamp.

Q. A little design in the center of each stamp?—A. Yes.

Q. Was that design the hammer and the sickle?—A. Yes.

Q. It was the—and this membership book had stamps in it, and each stamp had the sign of the hammer and the sickle?—A. Yes.

Q. Now what name was inscribed on this membership book?—A. Harry Dorgan. That was his mother's maiden name.

Q. Harry Dorgan?—A. Yes.

Q. And Dorgan was his mother's maiden name?—A. Yes.

Q. Is that correct?—A. That's what he told me.

Q. Did you ever have a conversation about him using this name "Dorgan"?—A. Yes, I did. I told him he ought to be ashamed of himself for putting his mother's maiden—maiden name on the Party book.

Q. You told him he ought to be ashamed of himself for putting his mother's maiden name on a Communist Party book?—A. Yes.

Q. Is that right? And what did he reply?—A. He said, "What difference does it make, they will never find out."

Q. "What difference does it make, they will never find out"?—A. Yes.

Q. Now, I will ask you, did Harry Bridges carry this Communist Party book with him?—A. Oh, no.

Q. He wouldn't carry it?—A. No.

Q. Where in the house did he keep it?—A. Well, sometimes we hid it underneath the linoleum in the bathroom.

Was the testimony which I have just read to you a recitation of the facts with respect to your use of the name Harry Dorgan or is that testimony in error?

Mr. BRIDGES. I don't know. That testimony was before a legislative committee. The same questions were asked before a court of justice where you could face your accuser and cross-examine, and that was one of my ex-wives. She was never produced in a court of justice.

Mr. ARENS. Would you kindly answer the question, was that testimony true or was it in error?

Mr. BRIDGES. And eventually later on she repudiated that testimony.

Mr. ARENS. Was that testimony true or was it in error?

Mr. BRIDGES. Excuse me just a moment.

(The witness conferred with his counsel.)

Mr. BRIDGES. The testimony was later on repudiated by the woman that made it. Now that—

Mr. ARENS. Was that testimony true or was that testimony in error that you used the name Harry Dorgan in a Communist Party book?

Mr. BRIDGES. I am telling you that the woman eventually repudiated the testimony and said it wasn't true.

The CHAIRMAN. That is not the question, Mr. Bridges. The question is, was this testimony correct?

Mr. BRIDGES. I am giving you an answer.

The CHAIRMAN. Whether she repudiated it or not is immaterial. The question is, Was it true?

Mr. BRIDGES. It was found to be untrue later on by the courts.

The CHAIRMAN. All right.

Mr. ARENS. Do you here and now deny that you used the name Harry Dorgan in a Communist Party book?

Mr. BRIDGES. I would sooner stand on the court record and the court decisions.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the last outstanding principal question.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. BRIDGES. I have already answered that on the fifth—if I have used the name. I think I have already answered that and took the fifth amendment.

Mr. ARENS. When and where were you born?

Mr. BRIDGES. Melbourne, Australia, July 28, 1901.

Mr. ARENS. What was your occupation before coming to the United States?

Mr. BRIDGES. Seaman; merchant seaman.

Mr. ARENS. When did you come to the United States?

Mr. BRIDGES. April 1920.

Mr. ARENS. Did you come on an immigration visa?

Mr. BRIDGES. No. I came as a seaman.

Mr. ARENS. Were you admitted at that time in 1920 for lawful permanent residence?

Mr. BRIDGES. Yes; as far as I know.

Mr. ARENS. Are you a citizen of the United States?

Mr. BRIDGES. I am.

Mr. ARENS. When and where were you naturalized?

Mr. BRIDGES. San Francisco in 1945.

Mr. ARENS. Give us, if you please, sir, just the principal employments you have had since you came to the United States.

Mr. BRIDGES. In 1922 I was a merchant seaman. From 1922 to 1934 I was a longshoreman on the docks of San Francisco. Since the latter part of 1934 I have been a trade union official and still am.

Mr. ARENS. During what period of time were you employed by the U.S. Government?

Mr. BRIDGES. That was a short period during 1922. I was a quartermaster in the Coast and Geodetic Survey.

Mr. ARENS. How long have you been president of the ILWU?

Mr. BRIDGES. Since it was formed in 1937.

Mr. ARENS. I lay before you now a photostatic reproduction of a passport application filed with the Secretary of State bearing the signature of Harry Renton Bridges.

Would you kindly look at that passport application and tell this committee while you are under oath whether or not that is a true and

correct reproduction of a passport application filed by yourself with the Secretary of State?

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. BRIDGES. It is.

(Document marked "Bridges Exhibit No. 1", and retained in committee files.)

Mr. ARENS. First of all, you will observe on the first page under the listing, "mother's name, Julia Dorgan Bridges," is that correct?

Mr. BRIDGES. Right.

Mr. ARENS. Was that your mother's name?

Mr. BRIDGES. Yes.

Mr. ARENS. Now you will observe on the second page of the passport application under your picture there are two questions: Question 1 is: "Are you now a member of the Communist Party?" And in parentheses, answer "yes" or "no." Question 2 is: "Have you ever been a member of the Communist Party?" And in parentheses, answer "yes" or "no." And thereafter appears this, "If ever a member, state period of membership from — to —."

In this passport application which I displayed to you the answers are omitted to those two questions. Is that not correct?

Mr. BRIDGES. Right.

Mr. ARENS. What was the date of the filing of this passport? Could you tell us that please, sir? That was in July 1958, was it not, July 16?

Mr. BRIDGES. I think it was.

Mr. ARENS. On July 16, 1958, the day that you filed this passport application were you a person who had ever been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BRIDGES. It was my understanding at the time in view of the court decisions I did not have to answer the questions for two or three reasons: One, the matter of principle; one, because I didn't again want to afford any opportunities for the record, what has been happening, of another 20 or more years of litigation, and because the issue had been settled personally and officially as far as I was concerned by the courts. So I did not answer the question.

Mr. ARENS. Now would you kindly answer the question outstanding on this record?

Mr. BRIDGES. And I don't intend to answer them now.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the last outstanding principle question on this record; namely, as of the date of his filing the passport application, July 16, 1958, was he a person who had ever been a member of the Communist Party.

(The witness conferred with his counsel.)

Mr. BRIDGES. Mr. Chairman, before—

The CHAIRMAN. Just a moment. First I would like to ask you this question: Did you refrain or decline to answer that question because of what you felt the law was as enunciated by recent decisions of the court?

Mr. BRIDGES. One reason, yes.

The CHAIRMAN. Yes.

Mr. BRIDGES. One reason meaning that I was within my rights specifically in this case to decline to answer the question. In other words, it wasn't a condition of getting a passport as—well, as I had over 20 years of litigation where the courts had found despite many, many charges and accusations, you see, to the contrary, and I had never taken the fifth amendment. I took the fifth amendment here today for the first time in my life. If I had taken it over 20 years ago, I would have saved my union a lot of money and expense, and I would have saved myself a lot of trouble. And I know why, because there has been more than one attempt to frame me on the same issue, and now I am getting older I am getting wiser.

The CHAIRMAN. I assure you there will be no attempt to frame you here. Actually we are interested in the advisability of reporting legislation. I think your statement a moment ago that you declined to answer the question because of the court decisions would indicate of itself the need for legislation.

But you are directed to answer this question, Mr. Bridges.

Mr. BRIDGES. Well, for the second time I must decline to answer, and I seek the protection of the fifth amendment.

The CHAIRMAN. You are not under any compulsion. You say, "I must decline." You are not under any compulsion whatsoever. If you want to help the Congress and the country, you will not decline to answer.

Mr. BRIDGES. I would like to help the Congress, and I would like to help the country. I just think there might be better ways of doing it than this, in my opinion, Mr. Chairman.

I am declining to answer, because I have been through over 20 years of litigation, two trips to the U.S. Supreme Court, five or six other hearings where these charges, these same questions were asked. Witnesses were introduced. In most cases they were found to be liars, perjurers, and stool pigeons. If I answer the question here now, I think the committee will get busy and start a new round of litigation.

Mr. ARENS. Do you honestly apprehend, sir, if you answered the last outstanding principal question, you would be supplying information which might be used against you in a criminal proceeding?

Mr. BRIDGES. And I think the committee could go to work to start seeking some ways of bringing criminal procedures, yes.

Mr. ARENS. Now, Mr. Bridges, according to the passport application—

Mr. BRIDGES. I think the issue has been settled, Mr. Counsel. I don't know how many times I have to go before the Supreme Court to have the charges of communism allegedly past or present determined. It has been determined as far as I am concerned twice by the U.S. Supreme Court decisions and two or three times by other hearings.

How many times do I have to go through with it?

I think the committee is trying to start another question.

The CHAIRMAN. May I assure you for what it is worth that is not the case at all, Mr. Bridges.

Mr. BRIDGES. Mr. Chairman, may I ask you something?

Presently there is a claim pending against me by the U.S. Government for a quarter of a million dollars, an income tax claim, stating that the money that was collected by friends, donated voluntarily by my union membership, was personal income, even though I never got

a penny of that money. Counsel did and other counsel did. But the U.S. Government has filed a claim against me asking me to pay a quarter of a million dollars in income taxes on this so-called personal income. That is still in the cards.

Now the idea is that if I am forced to defend myself further in some costly litigation I have to come up with the money, and I have no money.

The CHAIRMAN. Mr. Bridges, I have great confidence in our courts and in our laws, and if you do not owe the \$250,000 I am sure you will not be required to pay it.

Mr. BRIDGES. I have confidence in the courts and law, Mr. Chairman, too. I am sorry to say I have more confidence there than here. In the courts of law you can force the witnesses to come in and their statements are not just accepted as they are here. There they can be cross-examined and exposed as liars and if they are liars—

The CHAIRMAN. If they do not answer questions they are committed for contempt. That is something we cannot do, you see.

Mr. ARENS. Was a passport issued pursuant to the application which you filed?

Mr. BRIDGES. Yes.

Mr. SCHERER. May I ask Mr. Arens a question?

Do you mean the passport was issued without the applicant answering the two questions you have just read?

Mr. ARENS. Yes, sir.

Now, on the passport application you list among other things, the countries which you expect or hope to visit: "England, France, Italy, Holland, Israel, Egypt, U.S.S.R., and India."

May I inquire at this point, please, sir, when did you start making your plans for this proposed trip, which you announced to the State Department when you filed your application in July of 1958?

Mr. BRIDGES. A couple of years before that.

Mr. ARENS. Had you had correspondence with people in the countries to be visited respecting your itinerary and your conferences and the like that you proposed to have?

Mr. BRIDGES. Yes, to some extent at least.

Mr. ARENS. And did you have with you when you left on the trip any letter of introduction?

Mr. BRIDGES. I did.

Mr. ARENS. Did you have any letter of introduction from Mr. Hoffa?

Mr. BRIDGES. No; if I wanted one, I would have asked for one. If I would have asked, I would have got it.

Mr. ARENS. Now the original plan according to the application was to leave on August 15. The actual date of departure, however, was a little later, was it not?

Mr. BRIDGES. It was.

Mr. ARENS. What occasioned the delay? Could you tell us in passing?

Mr. BRIDGES. I got married. I had a little trouble getting married. I went to the State of Nevada, and I found there were laws up there preventing me from marrying anybody but a white person. So we finally got married and took care of that and the law has since been repealed.

Mr. ARENS. Who——

Mr. BRIDGES. I married an American girl.

Mr. ARENS. Who accompanied you on this trip?

Mr. BRIDGES. To Nevada? My wife.

Mr. ARENS. No; the trip to Europe.

Mr. BRIDGES. Mr. William Glazier.

Mr. ARENS. Would you kindly identify him for us?

Mr. BRIDGES. He is executive assistant to the officers of the ILWU.

Mr. ARENS. Was your travel abroad approved by the ILWU?

Mr. BRIDGES. Yes.

Mr. ARENS. Did you go upon resolution passed by the ILWU, authorizing and directing you to go?

Mr. BRIDGES. I don't know.

Mr. ARENS. Did ILWU agree to reimburse you for your expenses?

Mr. BRIDGES. Yes. Let me tell you. I went there after making—it was a part of a whole plan of ours. The purposes of the trip and the fact that I was going had been reported to most of our union meetings, to membership meetings, and in that sense it was approved by the membership directly. As to the technical aspect of what motions were made and what resolutions were passed, they would be in the record somewhere. I don't know.

Mr. ARENS. On the purpose of your trip on your passport application you recite travel, recreation, and study of longshoring methods and collective bargaining?

Mr. BRIDGES. Right.

Mr. ARENS. Were there any other purposes which you had for the trip?

Mr. BRIDGES. No.

Mr. ARENS. Did you have any purposes before you left to engage in conferences for stated objectives?

Mr. BRIDGES. Yes.

Mr. ARENS. You did not recite those conferences or any stated objectives in your passport application, however, is that correct?

(The witness conferred with his counsel.)

Mr. BRIDGES. I recited enough to get a passport. But if I had been asked I would have had no objection.

Mr. ARENS. In December of 1958, did the ILWU propose a conference of longshore unions in the Pacific area and in Asia, a conference to be described as the "Pacific-Asia Dock Conference"?

Mr. BRIDGES. It did in conjunction with some other unions in other countries; yes.

Mr. ARENS. Where was that conference to be held?

Mr. BRIDGES. Tokyo.

Mr. ARENS. When?

Mr. BRIDGES. I think it begins May 11.

Mr. ARENS. Did you discuss this conference with any individuals or groups or entities not affiliated with American trade unions?

Mr. BRIDGES. What would that question mean? You tell me what you mean by American trade union? I think I know what you mean. But before I can answer that one give me an idea of what you mean?

Mr. ARENS. To whom did you extend the invitations to participate in this Pacific-Asia Dock Conference?

Mr. BRIDGES. To whom in what?

Mr. ARENS. Yes. What groups.

Mr. BRIDGES. In other countries?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. Our union was a part of a sponsoring committee of four or five unions in various countries. One was Indonesia. One was Japan. There was ours representing the Pacific coast of the Americas and a couple of others. I am a member of the sponsoring committee. I think one was India, Bombay Dock Workers. That is four.

Mr. ARENS. Did you extend an invitation to the All-Japan Dock Workers?

Mr. BRIDGES. They were part of the sponsoring group.

Mr. ARENS. Was part of the sponsoring group the Waterside Workers Federation of Australia?

Mr. BRIDGES. That is right. That is the other one.

Mr. ARENS. Is Madras Harbour Workers Union of India part of this group?

Mr. BRIDGES. Yes, it is.

Mr. ARENS. Is the Waterside Workers and Seafarers Union of Indonesia part of this group?

Mr. BRIDGES. It is.

Mr. ARENS. Did you extend any invitations to unions located in the Philippines for this Pacific-Asia Dock Conference?

Mr. BRIDGES. Yes.

Mr. ARENS. What group there?

Mr. BRIDGES. I forget the exact title, the dockworkers group there.

Mr. ARENS. Did they accept?

Mr. BRIDGES. I don't know as yet.

Mr. ARENS. Did you extend any invitation to dockworkers in Formosa?

Mr. BRIDGES. I don't know. Let me explain why. Out of the five sponsoring unions, each sponsoring union was responsible for extending invitations to unions in certain areas. For example, the ILWU, we took the responsibility of communicating with dockworkers unions in Central and South America and Canada. Those communications were sent out. Now whether the Formosa union was invited or other unions in that area that would be, for example, the responsibility of the Japanese dockworkers. So as to whom they communicated with at this stage of the game, I can't say for sure. I would assume that they had extended an invitation to the dockers of Formosa. But I can't say for sure.

To put it another way, there wasn't supposed to be any discrimination. All unions of all kinds were to be invited if they were dockworkers' unions from all countries.

Mr. ARENS. Were any of the unions invited affiliated with International Confederation of Free Trade Unions?

Mr. BRIDGES. Yes.

Mr. ARENS. Have any of them accepted an invitation?

Mr. BRIDGES. The Indonesian union is one that is a sponsoring union.

Mr. ARENS. Has it accepted an invitation or is it going to sponsor the all-Japanese—

Mr. BRIDGES. It has sponsored, yes.

Mr. ARENS. Conference.

Mr. BRIDGES. I think one of the Australian unions—I can't say for sure.

Mr. ARENS. Kindly tell us what press coverage did you arrange prior to the time of your departure?

Mr. BRIDGES. Press coverage where?

Mr. ARENS. What press coverage did you arrange for your trip?

Mr. BRIDGES. None.

Mr. ARENS. Do you write a column called "On the Beam" in the paper published by ILWU?

Mr. BRIDGES. I do.

Mr. ARENS. Did you contemplate that as you made your trip from country to country you would be sending back for publication ILWU press reports respecting your trip?

Mr. BRIDGES. No.

Mr. ARENS. Did you do so?

Mr. BRIDGES. Yes, sir.

Mr. ARENS. What was the first country that you visited?

Mr. BRIDGES. Great Britain, the United Kingdom.

Mr. ARENS. And did you write or dispatch an article from Great Britain?

Mr. BRIDGES. We wrote an article on Great Britain. Whether we wrote it there or later on in one of the other countries—I think we might have written it originally from Hamburg or Paris.

Mr. ARENS. Did you personally write these columns that you sent back or were they written by a colleague and perhaps submitted for your approval?

Mr. BRIDGES. Let us say they were a joint effort.

Mr. ARENS. A joint effort between you and whom?

Mr. BRIDGES. Mr. Glazier. He writes much better than I do.

Mr. ARENS. Did anyone else accompany you on the trip besides Mr. Glazier?

Mr. BRIDGES. No.

Mr. ARENS. Did you discuss the Pacific-Asia Dock Conference with certain persons in Great Britain?

Mr. BRIDGES. I think we did.

Mr. ARENS. And with whom did you discuss it?

Mr. BRIDGES. I don't know. I couldn't say. You asked me specifically what. We might have discussed it with this one. We had hours and hours of discussions; as to whether that particular point came up, this, that, or the other one, I don't know. But the general question, did we discuss it with some people? We were asked about it.

Mr. ARENS. With what groups did you have your discussions in Great Britain?

Mr. BRIDGES. Primarily with the officers of the Transport and General Workers Union of Great Britain.

Mr. ARENS. Did you have any conference with the International Transport Workers' Federation?

Mr. BRIDGES. Yes, that is officers of that federation.

Mr. ARENS. Where were those conferences?

Mr. BRIDGES. Great Britain, Hamburg, Denmark, Belgium, Israel. And you said officers of the federation?

Mr. ARENS. Yes, sir; within Great Britain.

Mr. BRIDGES. Oh, within Great Britain. What was the question? I lost it.

Mr. ARENS. Where did you have your conferences?

Mr. BRIDGES. I am saying. I had some in Great Britain and some other—

Mr. ARENS. Within the offices of the receptive countries or were they in some other offices?

Mr. BRIDGES. What does that mean, "receptive"?

Mr. ARENS. Were they in the offices of the labor groups with which you were consulting or were they within the offices of some affiliate of an international labor organization?

Mr. BRIDGES. They were in trade union offices. They were in the offices of the union we happened to be talking with.

Mr. ARENS. Did the International Transport Workers' Federation accept an invitation to participate in the Tokyo meeting?

Mr. BRIDGES. I don't know.

Mr. ARENS. Did they express to you that they were not going to accept the invitation to the Tokyo meeting?

Mr. BRIDGES. I think you are mixed up. Now I am talking to people who are affiliated with the ITF and officers of the ITF. And they might be or they would be invited as dockworker unions, let us say, if they were in the Pacific to the conference, as against the ITF itself being invited.

Mr. ARENS. Now let's get the record clear. Did you extend a formal invitation, without equivocation, to the International Transport Workers' Federation in Great Britain to participate in the Pacific dock conference?

Mr. BRIDGES. But it is not in Great Britain.

Mr. ARENS. Did you extend an invitation to the International Transport Workers' Federation to participate in the dock conference in the Pacific?

Mr. BRIDGES. I don't know. That would be on the part of the sponsoring conferences. As far as I know an invitation was probably extended but specifically at the moment I don't know.

Mr. ARENS. While you were in Great Britain did you have any conferences with representatives of the World Federation of Trade Unions?

Mr. BRIDGES. I don't know about that either. Some of those people might have been. There was one man, I forget his name, who could have been a representative of the WFTU. I don't know.

Mr. ARENS. Did you have any conferences with Jock Hastings of the British dockworkers?

Mr. BRIDGES. No. Not that I recall. Now, we met quite a few people and I can't recall their names.

Mr. ARENS. How long were you in Great Britain?

Mr. BRIDGES. About a week.

Mr. ARENS. Then your next stop was in France, is that correct?

Mr. BRIDGES. No.

Mr. ARENS. Where was your next stop.

Mr. BRIDGES. Hamburg.

Mr. ARENS. I would like to discuss with you Hamburg in connection with other areas of your trip.

Mr. BRIDGES. That is quite all right.

Mr. ARENS. How long were you in Hamburg?

Mr. BRIDGES. About 3 or 4 days.

Mr. ARENS. Then you went to France?

Mr. BRIDGES. Yes.

Mr. ARENS. How long were you in France, roughly speaking?

Mr. BRIDGES. I have a copy of my itinerary instead of me depending on memory.

Mr. ARENS. Were you there as much as a week?

Mr. BRIDGES. In France?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. We weren't there that long.

Mr. ARENS. Did you have a letter of introduction?

Mr. BRIDGES. We asked the officers of the Transport and General Workers Union in Britain to make arrangements for the trade union officers in the other countries where they could, and they very kindly did so. Whether that included France or not—we had correspondence with France already. I think it was with the transport union there, the dockworkers' union there.

Mr. ARENS. Do you recall the name of the individual with whom you had your correspondence in France?

Mr. BRIDGES. At the moment I don't know. I think it was either Mr. —

Mr. ARENS. Was it Frachon?

Mr. BRIDGES. I think it was. At least that was one of them.

Mr. ARENS. Did you, when you got to France, confer with Frachon?

Mr. BRIDGES. Yes.

Mr. ARENS. Is his first name Benoit, B-e-n-o-i-t?

Mr. BRIDGES. Right. I think the way you say it.

Mr. ARENS. Last name, F-r-a-c-h-o-n?

Mr. BRIDGES. I think that is the way you say it.

Mr. ARENS. What is his position?

Mr. BRIDGES. He is either the secretary general of the CGT or the secretary general of the Transport Workers Union of France, which would include the dockworkers.

Mr. ARENS. Did you know that Benoit Frachon was a high-ranking member of the Communist Party of France?

Mr. BRIDGES. No. Well, let me see. I had heard something to that effect. Specifically, no. It wouldn't make any difference to me if I did.

Mr. ARENS. Are you acquainted with the fact that Frachon was arrested within France on charges of fomenting sabotage and conducting subversive propaganda in the French Army?

Mr. BRIDGES. Did I know that?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. No.

Mr. ARENS. Would it have made any difference to you if you had known it?

Mr. BRIDGES. It all depends. I have been arrested myself.

Mr. ARENS. The CGT in France is the Communist controlled labor organization, is it not?

Mr. BRIDGES. I wouldn't know that. Do I understand, Mr. —

Mr. ARENS. Did Frachon explain to you the economic conditions in France and the political conditions in France?

Mr. BRIDGES. He certainly did his best. We pinned his ears down enough day and night to try and get that information.

Mr. ARENS. Did you get the information from Frachon?

Mr. BRIDGES. We got quite a bit of information from Mr. Frachon.

Mr. ARENS. Do you speak French?

Mr. BRIDGES. No.

Mr. ARENS. Did you have an interpreter?

Mr. BRIDGES. We did.

Mr. ARENS. Do you recall the interpreter's name?

Mr. BRIDGES. I have it somewhere, a very delightful lady.

Mr. ARENS. Was her name Lisa K-o-t-o-m-k-i-n-a?

Mr. BRIDGES. No.

Mr. ARENS. Was the lady who was assigned to you one of the associates of Frachon?

Mr. BRIDGES. I think so. I forget her specific title. I think she was a part of the international department of the CGT.

Mr. ARENS. Did you have conferences with Louis Saillant?

Mr. BRIDGES. I had a conference with Louis Saillant, a brief one in France or Paris. He happened to be there. He resides elsewhere. But I know—

Mr. ARENS. Where does he reside?

Mr. BRIDGES. I don't know.

Mr. ARENS. Who is Louis Saillant?

Mr. BRIDGES. I think he is the secretary of the WFTU. I have known Saillant for years. So if he was in Paris—

Mr. ARENS. Do you know that Louis Saillant is a Soviet espionage agent?

Mr. BRIDGES. No.

Mr. ARENS. Would it have made any difference to you had you known it?

Mr. BRIDGES. It depends on the evidence.

Mr. ARENS. Did you meet up with a lady in France, during your sojourn there, by the name of Lisa Kotomkina, K-o-t-o-m-k-i-n-a?

Mr. BRIDGES. I don't know. I might have. I can't recall the name at the moment, but it is entirely—we met quite a few women.

Mr. ARENS. Did you meet up with the secretary to Louis Saillant, a lady by the name of Lisa Kotomkina?

Mr. BRIDGES. I don't know.

Mr. ARENS. Do you recall, irrespective of her name, whether or not you were in conference with the secretary to Louis Saillant?

Mr. BRIDGES. I was in conference with a woman, who was also, as I understand it, the ranking officer of the Transport Workers Union.

Mr. ARENS. Was she secretary to Louis Saillant?

Mr. BRIDGES. I don't know what her exact title was. She could have been. I don't know.

Mr. ARENS. From whence did Louis Saillant come in order to confer with you in Paris?

Mr. BRIDGES. Just a minute. What was that question?

Mr. ARENS. From whence did Mr. Saillant come for the purpose of conferring with you in Paris?

Mr. BRIDGES. As far as I know he didn't come to confer with me in Paris.

Mr. ARENS. From whence did he come in order to be in Paris?

Mr. BRIDGES. I don't know.

Mr. ARENS. Had he recently arrived in Paris prior to the time that you conferred with him?

Mr. BRIDGES. That is my understanding. He had gotten in that day and left the same day.

Mr. ARENS. From whence did he come?

Mr. BRIDGES. I don't know. I asked to see Saillant. They said he wasn't around. Later on they said, by golly, he was. He was in Paris for that day. And I asked if they could arrange at least a brief session. I wanted to see him and renew old acquaintances.

Mr. ARENS. Did you know Saillant from the past?

Mr. BRIDGES. Yes.

Mr. ARENS. What was the nature of your past acquaintanceship with him?

Mr. BRIDGES. Was a delegate. That is wrong. Yes. Yes, he in 1945 at the time of the founding of WFTU and the United Nations NSF. He was an official delegate to the founding committee.

Mr. ARENS. Did Saillant, during your stay in Paris, invite you to come to Prague?

Mr. BRIDGES. No. We already had Prague on the itinerary.

Mr. ARENS. While you were in France did you meet Andre Fressinet, F-r-e-s-s-i-n-e-t?

Mr. BRIDGES. I think we did. I am not sure. We intended to because Fressinet. I think Fressinet now is—we had a lot correspondence with Fressinet.

Mr. ARENS. When you say "we" who are we?

Mr. BRIDGES. The International Longshoremen's and Warehousemen's Union and myself as one of its officers.

Mr. ARENS. Am I clear that you did have a conference with Fressinet?

Mr. BRIDGES. I am not sure if we did or not.

Mr. ARENS. Did you solicit a conference with Fressinet?

Mr. BRIDGES. I think we did.

Mr. ARENS. Did you know that Fressinet was a top-ranking Communist in France?

Mr. BRIDGES. No; you understand the distinctions here. If you asked me had I heard that, I will say "yes." If you ask me did I know, specifically, I don't.

Mr. ARENS. You were onetime president of the Seamen and Dockers section of WFTU, were you not?

Mr. BRIDGES. Right.

Mr. ARENS. Was Fressinet a leading light of WFTU?

Mr. BRIDGES. At that time?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. Yes; I think he was.

Mr. ARENS. Was Saillant a leading light of WFTU at that time?

Mr. BRIDGES. Either president or secretary. I think he has the same position now, whichever it is.

Mr. ARENS. Who contacted you respecting your ascendancy to the presidency of the Seamen and Dockers section of WFTU?

Mr. BRIDGES. Contacted?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. I don't remember that.

Mr. ARENS. You were not present in Europe when you were elected president of the Seamen and Dockers section of WFTU, were you?

Mr. BRIDGES. No; I think I was in jail.

Mr. ARENS. Who notified you that you had been elected president of the WFTU Seamen and Dockers section?

Mr. BRIDGES. I think the secretary of our local of our international union. I can't recall specifically.

Mr. ARENS. With whom had you had correspondence or with whom had you been in communication respecting your ascendancy to the presidency of the Seamen and Dockers section of WFTU?

Mr. BRIDGES. I don't think there was any correspondence on it.

Mr. ARENS. Did it just strike you as a bolt out of the blue that you were notified that you were the new president of the Seamen and Dockers section of WFTU?

Mr. BRIDGES. I don't know if I would put it that way. There was a conference, and I was elected. I wasn't present, but I was elected.

Mr. ARENS. Was ILWU ever affiliated with WFTU?

Mr. BRIDGES. Yes.

Mr. ARENS. Did it withdraw?

Mr. BRIDGES. Yes.

Mr. ARENS. When did it withdraw?

Mr. BRIDGES. Shortly after the outbreak of the Korean war.

Mr. ARENS. Did you resign as president of the Seamen and Dockers section?

Mr. BRIDGES. Yes.

Mr. ARENS. And did you do that at the instigation of the local of ILWU?

Mr. BRIDGES. I did it at the instigation of our membership.

Mr. ARENS. When did you resign as president of the Seamen and Dockers International?

Mr. BRIDGES. I forget. I don't know.

Mr. ARENS. Was it prior to 1952?

Mr. BRIDGES. It could be. I am not sure. I think it was.

Mr. ARENS. Did you, after you resigned as president of the Seamen and Dockers International of WFTU, continue your affiliation as an individual with WFTU?

Mr. BRIDGES. No.

Mr. ARENS. Did you write articles for WFTU publications after you were obliged to resign as president of the Seamen and Dockers section of WFTU?

Mr. BRIDGES. I think I did, one or two.

Mr. ARENS. I display to you now, if you please, sir, a photostatic reproduction of the November 16-30, 1952, issue of the "Fortnightly Review," a publication of WFTU, in which appears among other things an article by Harry Bridges, entitled, the "Voice of America and the Forked Tongue."

Mr. BRIDGES. I wrote that, a little long but—

Mr. ARENS. Who solicited you to write this?

Mr. BRIDGES. Nobody. My own idea. All by myself.

Mr. ARENS. You sent it in to WFTU?

Mr. BRIDGES. I sent it everywhere I could get it printed. I had a purpose in mind.

(Document marked "Bridges Exhibit No. 2," and retained in committee files.)

Mr. ARENS. Were you cognizant of the fact that WFTU was controlled by the international Communist conspiracy?

Mr. BRIDGES. They are your words. I was cognizant of the fact that they were organizations of workers all over the world and I was looking for workers' help, wasn't getting much anywhere else.

Mr. ARENS. Did you in court admit that the WFTU is controlled and dominated by Communists?

Mr. BRIDGES. Not that I remember.

Mr. ARENS. I should like to read to you an excerpt from an opinion given by District Judge Harris in the case of *United States v. Bridges*, decided in the District Court, the Northern District of California, August 7, 1950.

Mr. BRIDGES. Yes.

Mr. ARENS. In the course of the opinion District Judge Harris, the Federal judge, recites the following:

Of equal significance was his—
and I interpolate "Bridges"—

refusal to disavow affiliation in and with the World Federation of Trade Unions, an international organization which he admits—and yesterday admitted in consequence of my questions—is controlled and dominated by Communists.

Did you in the course of the proceedings recited here by Judge Harris admit that the World Federation of Trade Unions is controlled and dominated by Communists?

Mr. BRIDGES. Isn't there a record of those proceedings, Mr. Counsel?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered to answer that question.

Mr. BRIDGES. I am not going to depend on my memory against the court record. If it is in the court record I said it. I am not going to try to remember it now. It is not in that record. You are quoting from what the judge said. I am not going to go by the judge's conclusions which were eventually dumped by the High Court. I would sooner go by what is in the record.

The CHAIRMAN. Did the judge correctly state the facts?

Mr. BRIDGES. I can't recall specifically. I wouldn't trust that judge to state any facts, Your Honor. I am sorry but that is my opinion about that judge. All I am saying is I was under oath in that court of law. When the judge asked me questions I wasn't backward about answering them. And my answers at that time which were many, many years ago taken down by a court reporter, are better than my memory now. Never mind the judge's conclusion. They were dumped.

The CHAIRMAN. Of course the record shows you admitted just exactly what the judge said.

Mr. BRIDGES. Suppose the record said it?

The CHAIRMAN. All right.

Mr. BRIDGES. Then I said it, Your Honor. I said it.

Mr. ARENS. What was the next country you visited?

Mr. BRIDGES. After what?

Mr. ARENS. After France.

Mr. BRIDGES. After France?

Mr. ARENS. Will you excuse me while I ask one more question with reference to France?

While you were in France did you extend any invitations to any of the groups or organizations there to attend the Pacific-Asia Dock Conference which is scheduled next month in Tokyo?

Mr. BRIDGES. I don't think we did.

Mr. ARENS. Did you discuss that subject matter with them?

Mr. BRIDGES. Yes. Understand, again, let me remind you, invitations were being extended by the official sponsoring committee. There was no need for me to extend invitations in addition. But I extended invitations to every single trade union leader we spoke to in France, Great Britain, elsewhere, to come to the United States and attend our recent convention. Some of them said they would try to make it. It was a matter of money with them. Time was short, et cetera, et cetera, et cetera, and thanks, I guess in part to this committee every one of them were well aware that trying to visit trade unions in America is a very difficult thing.

Mr. ARENS. Who met you at the airport when you arrived in Rome from France?

Mr. BRIDGES. Before we left France, Mr. Counsel, to get the record straight here. Now, in addition to visiting the CGT leaders in France, we visited the leaders of the IOFTU. And we visited the leaders of the Catholic trade unions there. We just didn't confine—we tried to do the same in every country we were in. We talked to everybody. I don't want you to try to give the impression here we just talked to certain ones. We talked to them all.

Mr. ARENS. Would you kindly tell us who met you at the airport when you arrived in Rome?

Mr. BRIDGES. Let me see. Mr. Santi was one.

Mr. ARENS. Is that Fernando Santi?

Mr. BRIDGES. That is right.

Mr. ARENS. Who is he, please, sir?

Mr. BRIDGES. He was cochairman, I think, of the CGIL (Italian General Confederation of Labor) of France. I mean of Italy. Pardon me.

Mr. ARENS. Who else met you?

Mr. BRIDGES. There was a couple of other people. One was an interpreter.

Mr. ARENS. Was Agostino Novella there?

Mr. BRIDGES. I met him later. He didn't meet us at the airport. There was two other officers there, and I have their names in the record we mentioned them.

Mr. ARENS. Did you have a conference with Agostino Novella?

Mr. BRIDGES. Later on, yes.

Mr. ARENS. Where and when did you have your conference with Agostino Novella?

Mr. BRIDGES. I think it was in the headquarters of either the CGIL or the Transport Workers Union.

Mr. ARENS. The CGIL is the Communist controlled trade union in Italy; is it not?

Mr. BRIDGES. I don't know. I want more proof than your word.

Mr. ARENS. Is Agostino Novella a Communist?

Mr. BRIDGES. I don't know that either. I think he is now. Let me explain my answers. You know it is one thing in this country where it is kind of the thing you don't do, going around asking people,

are you a Socialist, Communist, or Republican either. It is different over there. You don't get a chance to ask. Generally the first thing people tell you, "I am a Socialist, I am a Socialist Democrat." "I am a Communist." And that is the way it works.

Mr. ARENS. Was Agostino Novella elected chairman of the WFTU while you were in Europe?

Mr. BRIDGES. I don't remember that if he was.

Mr. ARENS. Is he now chairman of the WFTU?

Mr. BRIDGES. I think he is or he is one of them, at least.

Mr. ARENS. Did you discuss with Agostino Novella the forthcoming Pacific-Asia Dock Conference to be held in Tokyo?

Mr. BRIDGES. I am not sure. I could have and I couldn't have. Discussions in this case could be around the fact that there was a conference going to be held, conferences already scheduled way, way a long time before we went to Europe. And it is confined to unions on the Pacific base. In other words, it is not the idea of inviting unions on the Atlantic side to the Tokyo conference.

Mr. ARENS. Did you have a conference while you were in Italy with Luigi Longo, L-u-i-g-i L-o-n-g-o?

Mr. BRIDGES. I think so. I think he was one of the officers we met.

Mr. ARENS. He is one of the leaders of the Italian Communist Party; is he not?

Mr. BRIDGES. I don't know.

Mr. ARENS. Was he former political commissar of the International Brigades in Spain?

Mr. BRIDGES. I don't know. I am not even saying I had a conference with him. I said the name seems familiar. I might have and I might not. We met many, many people. I don't want to say I didn't. I might have met him.

Mr. ARENS. While in Italy did you give any press interviews to the general press stationed in Italy?

Mr. BRIDGES. We never gave a press interview all the time we were overseas; none.

Mr. ARENS. Did you give an interview while you were in Italy to the press, to a paper *Lavoro*?

Mr. BRIDGES. What does it mean?

Mr. ARENS. L-a-v-o-r-o.

Mr. BRIDGES. What does it mean?

Mr. ARENS. *Lavoro*.

Mr. SCHERER. It is the name of a weekly newspaper.

Mr. BRIDGES. Here is the reason I am asking the question.

Mr. ARENS. Did you give an interview to the editor involved?

Mr. BRIDGES. You used the word "interview." There was a couple of gentlemen there. I think they were public-relations men or press men connected with the Transport Workers Union. In that sense we had, I guess you could call it an interview. I am drawing the distinction now. We didn't talk to the public press anywhere; no press statements at all; no public statements.

Mr. ARENS. But you did give an interview or did you have press conferences with representatives of *Lavoro*? That paper is the organ of the CGIL, is it not?

Mr. BRIDGES. That is different now. In Rome we had a conference or we gave an interview to the representatives of the trade union paper there. If that is *Lavoro*, I guess that is the paper.

Mr. ARENS. Did you in your interview with the editors of Lavoro tell them that your union, ILWU was expelled from the CIO on an accusation that it was Communist controlled but that the accusation was without foundation?

May I read you a translation of one excerpt from this interview which you gave to the editors of Lavoro, the paper of the CGIL in Rome with reference to the ousting of ILWU from the CIO?

Mr. BRIDGES. Read it. Let's see how it sounds.

Mr. ARENS. With respect to ILWU expulsion from CIO were you quoted correctly by this Communist organ?

Mr. BRIDGES. What was that again?

Mr. ARENS. Were you quoted correctly? I am going to read it to you.

It is not a matter of motives but of pretexts. We of the East Coast were ousted because of "Communism." It is an accusation which has no foundation, unless the fight for the peace and international unity of the workers is a "Communist" fight.

Did you make those statements to the editors of Lavoro for publication in Rome?

Mr. BRIDGES. I can't specifically recall the words but it sure sounds like me.

(Document marked "Bridges Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Now, Mr. Bridges, I have in my hand the official reports of the CIO, 1950, on the expulsion of Communist-dominated organizations.

Mr. BRIDGES. You mean the frameup because we wouldn't line up support for Truman, don't you?

Mr. ARENS. I should like to invite your attention, first of all to this finding of the CIO.

Mr. BRIDGES. CIO what?

Mr. ARENS. Official CIO.

Mr. BRIDGES. Thanks.

Mr. ARENS. Beginning on page 106 of the findings of the executive board of the CIO, established to look into Communist-dominated organizations, we find the following with reference to ILWU:

At no time during that 12-year period has there been one single instance of ILWU's deviating in any appreciable degree from the line of the Communist Party.

At the time you told the editors of Lavoro that the accusation of Communist domination of ILWU by the Communist Party was without foundation were you aware of this finding by the CIO?

Mr. BRIDGES. Can I see it?

Mr. ARENS. Yes, sir.

(Document handed.)

(The witness conferred with his counsel.)

Mr. BRIDGES. I see the statement, at least those two or three lines. Just one statement in many pages.

Mr. ARENS. At the time that you made the statement in Rome to the editors of Lavoro for publication, were you aware of the findings

of the CIO after their investigation appearing on page 111 of this report as follows:

The documentary evidence of subservience of ILWU, through its top leadership, to the Communist Party was corroborated by the oral testimony of Mr. Quill and Mr. Stone, both of whom gave testimony showing direct Communist control of ILWU. Both testified that Harry Bridges had, over a period of years, participated in numerous secret meetings between Communist Party functionaries and officers of Communist-controlled unions in the CIO, at which the party functionaries instructed the union officers as to the party line and as to the positions that they were to take in the CIO and in their unions.

(Document marked "Bridges Exhibit No. 4," and retained in committee files.)

Mr. BRIDGES. Yes.

Mr. ARENS. Were you aware of that?

Mr. BRIDGES. That was very funny, Stone and Quill testifying they had been in such secret Communist meetings and they weren't Communists, the meetings that I was supposed to be at. I was there—and I wasn't there, and they testified—

Mr. ARENS. Did you participate in meetings with Eugene Dennis while you were head of the ILWU?

Mr. BRIDGES. As far as I can recall, no.

Mr. ARENS. Did you participate in meetings with William Z. Foster?

Mr. BRIDGES. Just a minute. Excuse me.

(The witness conferred with his counsel.)

Mr. BRIDGES. A little entrapment, I am afraid.

(The witness conferred with his counsel.)

Mr. BRIDGES. What was the question? With Mr. Foster?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. What was it? What was the question?

Mr. ARENS. Did you participate in meetings with William Z. Foster while you were head of ILWU?

Mr. BRIDGES. I have had meetings with Mr. Foster.

Mr. ARENS. Where?

Mr. BRIDGES. In New York somewhere. I forget.

Mr. ARENS. Were you ever in meetings with William Z. Foster at the Communist Party headquarters?

Mr. BRIDGES. No.

Mr. ARENS. Have you met with Roy Hudson?

Mr. BRIDGES. Yes.

Mr. ARENS. Who is Roy Hudson?

Mr. BRIDGES. I forget.

Mr. ARENS. Is he a top functionary of the Communist Party?

Mr. BRIDGES. I have known Hudson since he was a seaman. I have known him back on the west coast years ago.

Mr. SCHERER. Wait a minute. He didn't answer the question.

Mr. BRIDGES. What?

Mr. SCHERER. Whether he knew Hudson was a high functionary of the Communist Party.

Mr. BRIDGES. Yes. The answer is "Yes."

Mr. ARENS. Jack Stachel?

Mr. BRIDGES. Stachel. I know Stachel. I can't exactly recall the circumstances.

Mr. ARENS. Do you know him as being a high functionary of the Communist Party?

Mr. BRIDGES. Yes. May I—look, let me tell you something.

Mr. ARENS. Just a moment, please.

Mr. BRIDGES. Just a moment.

Mr. ARENS. Did you conceal these meetings from the membership of the ILWU?

Mr. BRIDGES. Any time I met with anyone I never concealed it from my membership, if I met Stachel or Foster or Hudson, my point, I was just going to make. All these questions have been asked of me and answered dozens of times under oath before court proceedings. I have answered them dozens and dozens of times going back 25 years.

The CHAIRMAN. Mr. Bridges, you probably do not realize that this committee may feel unanimously that there ought to be legislation in the field of passports, but without a record to support our conclusions it would be difficult to convince the majority of the Members of the House.

Mr. BRIDGES. What has this got to do with me, Mr. Chairman?

The CHAIRMAN. You are assisting us in making the kind of a record that will cause us to either recommend the enactment or not recommend enactment of legislation.

Mr. BRIDGES. That is what I am afraid of. I am assisting you very much against my will covering a lot of ground that has been covered over a period of months and months in courts where I had a fighting chance. Here I haven't got a—

The CHAIRMAN. I don't know why you say that, "Here I haven't got a chance." We are not doing anything at all except developing facts for the purpose of legislating. That is all.

Mr. BRIDGES. And that is just my point, Mr. Chairman. You want facts. Now, what are you doing here?

The CHAIRMAN. All you have to do is answer the questions.

Mr. BRIDGES. And I am answering the questions.

The CHAIRMAN. Then the facts are adduced.

Mr. BRIDGES. I am answering the questions by telling you the court records have all these questions answered many, many years ago that is better evidence or you get better answers than my answers here.

The CHAIRMAN. The court records cannot be made a part of the record that we submit.

Mr. BRIDGES. You have investigators. Instead of depending on my memory where you will come along at sometime and I might make a mistake just out of memory.

The CHAIRMAN. No, we are only asking you.

Mr. BRIDGES. You claim that I was lying.

The CHAIRMAN. Only asking you the best of your recollection, that is all.

Mr. BRIDGES. I don't want to get into going in that business of best of my recollection. I didn't even want to take the fifth amendment. For the first time in over 25 years of these kind of proceedings I took the fifth amendment today. I would have been better off if I kept my yap shut then.

Mr. JACKSON. May I make an observation to put this thing in proper context?

I don't believe the cases having to do with the witness in which he refers to 20 years of litigation had as their objective recommendations to the House of Representatives on passport use and misuse which is the function of this committee.

I think we can delineate the purpose in this fashion.

(1) Is a given witness a member of the Communist Party?

(2) If he is, did the witness obtain under recent decisions of the Supreme Court a passport for travel abroad?

(3) If he did obtain a passport in that manner what countries did he visit?

(4) Did the itinerary followed by the witness deviate in any respect from the itinerary as furnished on the passport application?

(5) If it did so vary, in what instances did it so vary and for what purposes if it is possible to obtain that information from the witness?

(6) With what Communist organizations, groups, and individuals did the witness confer during his travel abroad? And

(7) Were the statements of the witness as reported from abroad detrimental to the national interest of the United States or intended to weaken the international position of the United States and its allies?

Now, it would seem to me that succinctly that is the purpose of the hearing. It has no other purpose. I think that in the chairman's opening statement, as was made perfectly clear.

All the committee is attempting to determine in this instance is, whether or not the witness is or was at the time of making application for his passport, a member of the Communist Party, and I should like to direct that because that is fundamental to this inquiry if we are to determine whether or not there has been misuse of the passport. I should like to direct a question to the witness at this time very specifically.

Mr. BRIDGES. May I ask a question first?

Mr. JACKSON. Just a moment, Mr. Witness.

Mr. BRIDGES. I am not objecting if you ask me questions on my trip. I am merely saying did you ask me "Did you see Jack Stachel?" Let me think about 25 years ago or 20 years ago and that depends on my memory. And I am telling you you have got court reports where I answered the question 20 years ago under oath and that is a better answer than I can think of now.

Mr. JACKSON. I am not going to ask you a question that isn't simple for you to answer. It doesn't require any great amount of recollection on your part.

Have you ever been, Mr. Bridges, a member of the Communist Party?

Mr. BRIDGES. Do you understand—Is it Mr. Jackson?

Mr. JACKSON. Jackson.

Mr. BRIDGES. Do you understand that I have been through the courts over 20 years?

Mr. JACKSON. Yes; I understand that.

Mr. BRIDGES. You understand I have had five decisions in my favor on that question, don't you? You understand that I just for the first time have taken, refused to answer that question under the privilege of the fifth amendment, not because I am guilty, but because I

am in a better position probably than anybody else to answer that question and say no. I am in a better position because I have got court decisions saying that I am not. But so many people get dragged in here and smeared and slandered and the courts have said that about this committee, who are not in the same position to fight as I am, innocent people that have been destroyed. I am not going to help this committee in that sense.

This committee has done such a job saying that the people ipso facto that take the fifth amendment are guilty people. And it is not true. I can answer that. I have answered that question dozens of times under oath before a court of law. Here I take the fifth amendment.

Mr. JACKSON. In other words, you decline to answer that question, the question I have just posed?

Mr. BRIDGES. Under the fifth amendment and for the reasons I stated; yes.

Mr. JACKSON. As of the time——

Mr. BRIDGES. I am not going to start another 20 years of litigation.

Mr. JACKSON. Let it be clearly on the record that this is a legislative purpose and, first of all, we should like to determine with your help, and you say you can say no, you have never been a member of the Communist Party. If that is the case, then it would be quite unlikely that we would have any great reason to inquire further. However, failing to do that, it still, it seems to me, is the duty of the committee to pursue it in light of your declination to answer that question. This has a legislative purpose, not a court purpose. It does not go to the point of the charges which are leveled against you which were decided in the lower courts and subsequently reversed in the Supreme Court.

Mr. BRIDGES. You explain to me the difference.

Mr. JACKSON. Yes, indeed.

Mr. BRIDGES. What is it?

Mr. JACKSON. We are trying to determine whether or not there has been misuse of passports issued by the Department of State to members of the Communist Party. This is what we are attempting to determine. The sole purpose of this series of hearings is to make that determination and to make such recommendations as may flow from the testimony to the House of Representatives.

Mr. BRIDGES. I thought, Mr. Jackson, that in the correspondence we had with the committee, by my appearance here, you wanted to ask me questions about the people I saw, the trip, what we discussed, so that you could make a determination as to whether my trip overseas was detrimental to the United States. I thought that was the purpose.

Mr. JACKSON. I don't know about your exchange of correspondence. I haven't read it.

Mr. BRIDGES. With this committee I am talking about, with this committee.

Mr. JACKSON. My purpose as an individual member of this committee is to determine whether or not members of the Communist Party have gone abroad and have damaged the United States.

Mr. BRIDGES. There can be two separate things. When I get a passport it is my understanding it didn't mean—I was entitled to a passport even if I was a Communist.

Mr. JACKSON. That is what the committee is now investigating and a matter upon which the Congress will probably take action during this session.

Mr. BRIDGES. What are you talking to me for?

Mr. JACKSON. Obviously we are not making much headway in talking to you, but—

Mr. SCHERER. May I just ask one or two questions?

The application, Mr. Bridges, for your passport was made on July 16, 1958?

Mr. BRIDGES. I think so; yes.

Mr. SCHERER. You were not involved in the types of litigation you have been talking about at that time, were you, all the litigation took place prior to July 16, 1958.

Mr. BRIDGES. In the main, but I was still involved in litigation.

Mr. SCHERER. That was for the claim of taxes, income taxes—

Mr. BRIDGES. Yes.

Mr. SCHERER. That you told us about.

Mr. BRIDGES. Right; but it is all the same thing.

Mr. SCHERER. Right. The Supreme Court decision in the case of—

Mr. BRIDGES. *Bridges v. Robertson and Schmidt*—

Mr. SCHERER. Case of *Kent and Briehl v. The Secretary of State* was decided on June 16, 1958, just a month before you made this application for a passport on which you refused to answer questions as to whether you were now or ever had been a member of the Communist Party.

Mr. BRIDGES. That is right.

Mr. ARENS. As of the time that you gave this interview—

Mr. BRIDGES. What is the point? May I ask. What is the point, Mr. Scherer? In other words, you wanted to know why I didn't apply for a—

The CHAIRMAN. Go ahead, Mr. Arens.

Mr. BRIDGES. Am I entitled to some understanding as to why I was asked the question so I can answer it?

The CHAIRMAN. I don't think you are concerned with what Mr. Scherer has in mind. He is merely straightening the record.

Mr. BRIDGES. But the record is not straightened out, Mr. Chairman. Will you give me a chance to straighten out the record.

The CHAIRMAN. Go ahead.

Mr. ARENS. As of the time you gave an interview to editors of *Lavoro* for publication which you denied—

Mr. BRIDGES. What is that again? What did I deny?

Mr. ARENS. The interview in *Lavoro* which you denied—

Mr. BRIDGES. I didn't.

Mr. ARENS. The charges of CIO respecting Communist domination.

Mr. BRIDGES. Oh.

Mr. ARENS. Of ILWU.

Mr. BRIDGES. I will deny them here.

Mr. ARENS. Did you know of any current officers of ILWU who to your certain knowledge were members of the Communist Party?

Mr. BRIDGES. How was that again? Give me that one again.

Mr. ARENS. As of the time of your interview with *Lavoro*—

Mr. BRIDGES. That was a dilly.

Mr. ARENS. Lavoro—did you know of officers of ILWU who were Communists?

(The witness conferred with his counsel.)

Mr. BRIDGES. Did you say were, or am, or is?

Mr. ARENS. Were.

Mr. BRIDGES. Were. That could be any time in their lives, in the past, either.

Mr. ARENS. We will start with that; yes, sir.

Mr. BRIDGES. At any time.

Mr. ARENS. Yes, sir.

Mr. BRIDGES. Yes. The answer is "Yes."

Mr. ARENS. And who were they, please?

Mr. BRIDGES. I forget.

Mr. ARENS. Did you know at the time you gave this interview to Lavoro that Irving Charles Velson of ILWU was a Communist?

Mr. BRIDGES. Did you say—didn't you say officer of the ILWU?

Mr. ARENS. Official; yes, sir. Is Charles Velson employed or engaged in any capacity with ILWU?

Mr. BRIDGES. No.

Mr. ARENS. Has he been?

Mr. BRIDGES. Yes.

Mr. ARENS. Over what period of time?

Mr. BRIDGES. Four or five years.

Mr. ARENS. When?

Mr. BRIDGES. Up until a few months ago.

Mr. ARENS. Do you know whether or not he is a Communist or has been a Communist in the recent past?

(The witness conferred with his counsel.)

Mr. BRIDGES. I take it—I am not going to answer that.

Mr. ARENS. Why?

Mr. BRIDGES. I can say—under the—the way this committee operates and the way have seen in the courts—I can say yes, I know he is a Communist, and I can be in trouble, and I can say he is not and I can be in trouble. So I am going to be safe.

Mr. ARENS. Do you know whether or not J. R. Robertson of ILWU is or in the recent past has been a member of the Communist Party?

Mr. BRIDGES. Here we go down the line for every 60,000, 70,000 members of the ILWU. Same answer.

Mr. JACKSON. On what grounds?

Mr. BRIDGES. Same grounds.

Mr. SCHERER. I don't know what grounds.

Mr. BRIDGES. The grounds of the fifth amendment. That is right. Let's run up the record four or five hundred times. The 60,000 members in the ILWU and you will get the same answer with all of them.

Mr. ARENS. What position does Robertson hold in ILWU.

Mr. BRIDGES. He is the first vice president.

Mr. ARENS. Do you know whether or not Louis Goldblatt—

Mr. BRIDGES. Same answer.

Mr. ARENS. Of ILWU is or in the recent past has been a member of the Communist Party?

Mr. BRIDGES. Same answer with the same explanations.

Mr. ARENS. Would you hire individuals or representatives of ILWU whom you knew to be Communists?

Mr. BRIDGES. Would I?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. Did you say would I, or did I?

Mr. ARENS. Would you?

Mr. BRIDGES. I would go by the person's ability to do the job for which he was hired.

Mr. SCHERER. Irrespective of the fact of his current membership in the party?

Mr. BRIDGES. The union that I represent has in the constitution that forbids discrimination for reasons of race, creed, religion, or political belief. I am its president sworn to uphold the constitution and I do my best to see that it is carried on. I intend to keep on doing it.

Mr. ARENS. What office does Louis Goldblatt hold, please, sir?

Mr. BRIDGES. He is our international secretary-treasurer and holds it very well.

Mr. ARENS. Henry Schmidt, what office or position has he held in the ILWU?

Mr. JACKSON. Mr. Chairman, I think something more than the names in question should go into the record, rather than the mere recitation of the names. I would suggest that counsel indicate and not leave the matter in abeyance as to whether or not these people are known to be members of the Communist Party.

Mr. ARENS. I expect to do so just as I finish one more name, Mr. Chairman. I have the list here before me.

What position does Henry Schmidt hold with the ILWU?

Mr. BRIDGES. None.

Mr. ARENS. What position has he held?

Mr. BRIDGES. Pardon me. That is a mistake. I was wrong on that. He is an executive board member. We are just ending one period and going into a new period and so he is—

Mr. ARENS. Do you know whether or not a Henry Schmidt is or in the recent past has been a member of the Communist Party?

Mr. BRIDGES. Same answer, Mr. Counsel.

Mr. ARENS. Jeff Kibre, what position has he held or does he hold with ILWU?

Mr. BRIDGES. Mr. Kibre is our Washington representative. Legislative representative.

Mr. ARENS. Can you tell us while under oath, whether or not to your certain knowledge he is now, or in the recent past, has been a member of the Communist Party?

Mr. BRIDGES. To my certain knowledge?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. Same answer for the same reasons.

Mr. ARENS. Now I will call your attention to sworn testimony by responsible witnesses under oath before this committee.

Mr. BRIDGES. Who would that be? You name them.

Mr. ARENS. Yes, sir. Robert Gladnick, G-l-a-d-n-i-c-k.

Mr. BRIDGES. Never heard of him. Who is that?

Mr. ARENS. On May 6, 1953, he took an oath before this committee and identified to his certainty Irving Velson as a person known by him to be a member of the Communist Party.

Would you tell us whether or not that would make any difference to you in your relationship with Velson in ILWU?

Mr. BRIDGES. I have answered that question, Mr. Counsel.

Mr. JOHANSEN. Mr. Chairman, at that point, I am not clear from the record as I heard it as to whether the witness answered categorically that it would not make any difference or would make any difference. I think, Mr. Chairman, his answer was that he would judge on the abilities and so on of the individual. Does the record show a categorical answer that it would not make any difference? Is that your answer?

Mr. BRIDGES. That is your words, Mr. Congressman. You are asking me how I would suggest it.

Mr. JACKSON. I would suggest—

Mr. BRIDGES. If I had authority to hire a person to do a certain job I would hire the person based on his ability and integrity and honesty and his guts to do the job. I put the question of his political affiliations second.

The CHAIRMAN. The fact of the matter is you would prefer a Communist over a non-Communist, would you not?

Mr. BRIDGES. That is your statement, Mr. Chairman. It is not mine.

The CHAIRMAN. I am merely asking you a question.

Mr. BRIDGES. No need to put words in my mouth.

The CHAIRMAN. I am asking you the question. Do you prefer a Communist over a non-Communist?

Mr. BRIDGES. Are you asking me a question now? Are you asking me a question?

The CHAIRMAN. Are you not listening to me?

Mr. BRIDGES. I might be mistaken. I don't want to be mistaken, Mr. Chairman.

The CHAIRMAN. Yes. That is a question. I am asking a question.

Mr. BRIDGES. I thought you said "Now, the fact of the matter is you would prefer." Now, that is one way. Now, if you are asking me a question "Would you prefer" that is a different thing entirely. Is that the question, Mr. Chairman?

The CHAIRMAN. Yes, that is the question.

Mr. BRIDGES. Would I prefer? The answer is "No."

The CHAIRMAN. All right.

Mr. JOHANSEN. Mr. Chairman, I have no desire to put any words in the witness' mouth. But my question is: Would your certain knowledge that an individual was a member of the Communist Party prevent you from hiring him or from his appointment?

Mr. BRIDGES. It might or it might not. Let me explain my answer to you, Mr. Johansen. With all the furor and hysteria, and one thing and another that has grown up at least in recent years the question of hiring an official, a Communist to do a job for our union, might or would have to be considered even though I might think he was the best man for the job. But the general idea that has been placed in the public mind of all the terrible things that communism is or is supposed to represent, Communists supposed to do—

The CHAIRMAN. You are talking about Tibet now, aren't you?

Mr. BRIDGES. What is that?

The CHAIRMAN. You are talking about Tibet, now, are you not?

Mr. BRIDGES. Tibet. Where does Tibet get into this, Mr. Chairman? I am talking about America.

The CHAIRMAN. Oh, I see.

Mr. BRIDGES. If you want to talk about Tibet, I will do my best.

The CHAIRMAN. Go ahead.

Mr. BRIDGES. If this committee will let me go to Tibet, I might go there, too, if I get a chance.

The CHAIRMAN. This committee has nothing to do for the moment with where you go.

Mr. BRIDGES. It seems to me the committee is working hard to see that I don't go any other place again.

The CHAIRMAN. The committee has nothing to do with that. That is entirely up to the State Department.

Mr. BRIDGES. To try to answer your question, Mr. Johansen, my point is that although I might believe the man is the best man for the job, if at the same time he is an official Communist, that might hamper his work or the kind of work we would want him to do so much that he would be discarded for that reason. It is something that we would give consideration to as practical people.

On the other hand, I might say the same thing about a Republican. I would have lots of work were the very fact that the poor guy was an honest, decent Republican would render him—well, I could get someone better.

Mr. ARENS. Were you cognizant of the fact that J. R. Robertson of ILWU has been identified by responsible witnesses under oath, a responsible witness under oath, too, as a member of the Communist Party?

Mr. BRIDGES. Oh, I sat for days in a courtroom and heard witnesses testify. I wouldn't call them responsible and the courts didn't find them that way. That is a fact.

Mr. ARENS. Are you cognizant of the fact that Louis Goldblatt, one of the officers of ILWU, has been identified by responsible witnesses under oath as a member of the Communist Party?

Mr. BRIDGES. I have heard witnesses testify to that effect under oath and I would again not call them responsible and the court so found.

Mr. ARENS. Are you cognizant of the fact that Henry Schmidt has been—

Mr. BRIDGES. Same answer.

Mr. ARENS. Identified by responsible witnesses under oath as a member of the Communist Party?

Mr. BRIDGES. I heard my codefendant, Henry Schmidt, characterized as such by witnesses under oath. I wouldn't call them responsible. I would call them liars and perjurers.

Mr. SCHERER. Pardon me just a minute.

Mr. ARENS. Yes, sir.

Mr. SCHERER. You just said you called the witness a liar and perjurer?

Mr. BRIDGES. Exactly.

Mr. SCHERER. When they identified Schmidt as a Communist were they in error?

Mr. BRIDGES. I say the court, three of them—

Mr. SCHERER. I am not asking about the courts. I am asking you. When they—

Mr. BRIDGES. What's that?

Mr. SCHERER. When they identified Schmidt as a member of the Communist apparatus, were they in error?

Mr. BRIDGES. As far as I was concerned they were not only in error, they were cockeyed liars.

Mr. SCHERER. Did you know Schmidt as a member of the Communist Party?

Mr. BRIDGES. Did I know?

Mr. SCHERER. Did you know Schmidt as a member of the Communist Party?

Mr. BRIDGES. I already answered that question. The same answer.

Mr. SCHERER. Wait a minute. Did you know Schmidt as a member of the Communist Party?

Mr. BRIDGES. I already answered that question.

Mr. SCHERER. Do I understand that answer to be that you refuse to answer that question?

Mr. BRIDGES. That is right, for the same reason under the constitutional privilege of the fifth amendment.

Mr. ARENS. Are you cognizant of the fact that Jeff Kibre has been identified by several responsible witnesses under oath as a member of the Communist Party?

Mr. BRIDGES. No, I don't know that. I think I have heard it but—

Mr. ARENS. Would it make any difference to you in your relationship with him in ILWU?

Mr. BRIDGES. What do you mean? What do you mean by that? Would I hire him?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. I already answered that question as best I could, whether it goes to Kibre or anyone else.

Mr. ARENS. Did you have conferences with leaders of labor groups with reference to the situation laborwise in Florence, Italy?

Mr. BRIDGES. Did I have conferences in Florence?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. No.

Mr. ARENS. Did you have conferences with respect to the situation in Florence?

Mr. BRIDGES. Well, in the discussions Mr. Santi couldn't spend much time with us because he had to go to Florence. I think the city was tied up or about to be tied up in a general strike. So in that sense we had a conference where I inquired or he told us about the situation in Florence and I discussed that situation for my own information with trade union officials there, yes.

Mr. ARENS. Did you have conferences with trade union officials in Belgium?

Mr. BRIDGES. Yes; very fine people.

Mr. ARENS. Did you invite any of the people in Italy or in Belgium to participate in the Pacific-Asia Dock Conference?

Mr. BRIDGES. I don't recall that. I invited them to participate in our convention, our international convention.

Mr. ARENS. That is the one held on the coast recently?

Mr. BRIDGES. In Seattle, commencing April 6. A very successful convention.

Mr. ARENS. Did any of them come?

Mr. BRIDGES. We had communications from some of them saying that they couldn't afford it, we had an offer from others to come but they couldn't make proper passport arrangements.

Mr. ARENS. Now, what was the next country you visited after you left Italy?

Mr. BRIDGES. Greece—Athens.

Mr. ARENS. Did you have any letters of introduction?

Mr. BRIDGES. One.

Mr. ARENS. To whom?

Mr. BRIDGES. Not to the the trade union people.

Mr. ARENS. Beg pardon?

Mr. BRIDGES. Not to the trade union people.

Mr. ARENS. To whom was that letter of introduction?

Mr. BRIDGES. The Surgeon General of the Royal Greek Navy.

Mr. ARENS. From whom was the letter?

Mr. BRIDGES. Mr. George Christopher, the mayor of San Francisco.

Mr. ARENS. Did you invite the labor leaders in Greece to the Pacific-Asia Dock Workers Conference?

Mr. BRIDGES. No. We got our contact with the labor movement in Greece through the U.S. Embassy in Athens, where we got very, very shabby treatment at the U.S. Embassy, the only Embassy that gave us nasty, shabby treatment.

Mr. ARENS. Did you have any discussions within the Embassy there?

Mr. SCHERER. Beg pardon. Just a minute. You said the U.S. Embassy in Greece gave you shabby treatment.

Mr. BRIDGES. That is right.

Mr. SCHERER. Who was it in particular?

Mr. BRIDGES. To answer it I will tell you the story. We had no contact with the Greek labor movement and we had made no prior arrangements so our first call in Athens was to the American Embassy where we tried to see the labor attaché. I was at the reception desk and the gentleman at the desk, who was very courteous called the office of the labor attaché and said that he is not in. I inquired as to whether he would be back and there was further conversation. They didn't know that. We only had 2 or 3 days in Greece. So after a few minutes of this it was pretty apparent to me that I was being given the brush off or lied to, would be a way of putting it. So we went out.

Mr. SCHERER. They knew it was Harry Bridges, did they not, who wanted to see the labor attaché?

Mr. BRIDGES. I was told by the gentleman at the reception desk with a U.S. Marine standing by and certainly they knew it was me. I turned over my card and told the labor attaché who I was.

So on the way out a young gentleman, who was an economist attached to the Embassy, who spoke English, came out and met me outside. He was very nice and courteous and took me upstairs to his office and asked what we wanted to know. He phoned at that time, he phoned the Greek Federation of Labor and gave us the information and then we said that we tried to meet the labor attaché. He said, "I will arrange that." He grabbed the phone, and asked for the name of the labor attaché and starts to talk to him and then right

in front of us he said over the phone "oh, oh, you are not in." That was the end of contact.

Mr. SCHERER. You don't know who that was?

Mr. BRIDGES. Who the gentleman was in the Embassy we were talking to?

Mr. SCHERER. That you were trying to contact, what his name was?

Mr. BRIDGES. Yes; I have his name somewhere. I think it was either Mr. Samberger was attached—I think Mr. Samberger¹ was Chargé d'Affairs because we tried to see him too. I have the name of the labor attaché somewhere.

Mr. SCHERER. You received a little different treatment from Ambassador Zellerbach in Italy; did you not?

Mr. BRIDGES. Very courteous and decent treatment from Mr. Zellerbach.

Mr. SCHERER. Did you have lunch with him?

Mr. BRIDGES. That was true of every American Embassy we contacted elsewhere. We did not have lunch with Mr. Zellerbach. He was busy.

Mr. ARENS. What forces were contending in the Greek civil war? Do you recall?

Mr. BRIDGES. What is that?

Mr. ARENS. What forces were opposing one another in the Greek civil war?

Mr. BRIDGES. I don't know.

Mr. ARENS. What was the position of ILWU on the aid to the anti-Communist forces in Greece?

Mr. BRIDGES. Before I answer that, which forces in Greece in the Greece civil war represented the workers? With that understanding, if they had such forces, we were supporting them.

Mr. ARENS. Was ILWU officially opposed to aid to Greece in the Greek civil war period?

Mr. BRIDGES. Would that be what you call the Truman Doctrine?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. Yes, sir; we were. And, boy, when we went to Greece we sure found we were right.

Mr. ARENS. What was the next country that you visited after Greece?

Mr. BRIDGES. Egypt—Cairo, and Alexandria.

Mr. ARENS. While in Cairo did you attend the Afro-Asian Youth Conference?

Mr. BRIDGES. I did.

Mr. ARENS. Did you meet any American delegates there?

Mr. BRIDGES. No.

Mr. ARENS. How did you happen to meet the American delegates? Did you know their names prior to the time you went to Egypt?

Mr. BRIDGES. What American delegates are you talking about?

Mr. ARENS. Did you meet any American delegates to the Afro-Asian Youth Conference?

Mr. BRIDGES. Not that I recall. We met quite a few. I don't recall any delegates as such.

Mr. ARENS. Were you directly invited to attend the Afro-Asian Youth Conference in Egypt?

¹ James W. Riddleberger, Ambassador.

Mr. BRIDGES. By whom or when?

Mr. ARENS. Were you at any time?

Mr. BRIDGES. While in Cairo?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. Yes, sir. When right there; yes.

Mr. ARENS. Had you been invited prior to the time that you arrived in Cairo?

Mr. BRIDGES. Not that I recall. Might have. Look, you are reading from all the reports we made. I will submit a full set of those reports. They are better than my memory.

Mr. ARENS. Did you discuss with the labor leaders in Egypt the question of strikes?

Mr. BRIDGES. Sure.

Mr. ARENS. What did they tell you about strikes in Egypt?

Mr. BRIDGES. Said they couldn't afford them for the time being.

Mr. ARENS. Did they tell you that their strikes, in many ways parallel those of American unions during World War II, namely, the strikes were a luxury they couldn't afford? Is that the essence of what they told you?

Mr. BRIDGES. Is that the essence of what they told me?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. That is our conclusion. In other words—let me explain that—the leaders of the Arab Federation of Labor, which is a new federation only 2 years of age, and we had many discussions with them, pointed out that a No. 1 problem was to build up industry in their country, consolidate their revolution, enforce the new laws, and they had many, many problems and although they had a legal and technical right to strike, that had been written into the constitution since the revolution, it was the official policy of the labor movement to refrain from striking and to prevent the local unions from striking because they had more important things to do, namely, No. 1, build up their economy, and defend themselves against such invasions as took place by Britain, France, and Israel a couple of years ago.

Mr. ARENS. Is that the attitude you described in your article, the same attitude of the American unions during World War II, namely, the strikes are a luxury that we can't afford?

Mr. BRIDGES. Under the circumstances. The article speaks for itself, Mr. Counsel. Instead of me wracking my memory they were written at the time from on the scenes. I had a portable recorder with me, that I used to record. So the article is much better as to what I said and meant than my trying to remember now. We covered a dozen countries in 7 weeks, going day and night.

Mr. ARENS. During the period of the Hitler-Stalin Pact, which lasted until June of 1941—

Mr. BRIDGES. Yes.

Mr. ARENS. Did you support the policy of the Federal Government of the United States, at that time, with respect to "no strikes," a policy of organized labor overall of no strikes?

Mr. BRIDGES. We were affiliated with the CIO and I was an officer of the CIO and we supported the policy of the CIO.

Mr. ARENS. Did your union have any change of attitude toward the war in Europe after the breaching of the Hitler-Stalin Pact?

Mr. BRIDGES. Not that I recall.

Mr. ARENS. Did your union support or did you as an individual support policies of this Government with respect to the war in Korea?

Mr. BRIDGES. No. Just a minute. The union or did I, did you say?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. You mean both?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. The union supported the Government. I objected. And I got thrown into jail for it. I was jailed for it. And I still think I was more right than the union was.

Mr. ARENS. Suppose the U.S. Government decided to send arms or troops from our west coast to Nationalist China in the event of an armed conflict with Red China. Would you think it would be all right for ILWU to strike and sabotage the plans of this Government in that respect?

Mr. BRIDGES. I think that that is only something that could be determined by the membership of the union.

Mr. ARENS. Would you advocate a strike and sabotage of the plans of your Government in that event?

Mr. BRIDGES. There is no way I can answer that question.

Mr. ARENS. Did you answer that question when you were interviewed on that particular subject by Mike Wallace on August 18, 1957?

Mr. BRIDGES. Have you the answer there?

Mr. ARENS. Yes, sir. "Well, it could be."

Mr. BRIDGES. Go ahead and read it.

Mr. ARENS. That is the answer, "Well, it could be."

Mr. BRIDGES. All right. That is the answer. I think I said what I am saying now. That would be a matter that the union would meet at that time. You see we think—

Mr. ARENS. Here is the answer. "As an individual I would."

Mr. BRIDGES. All right. That is still the answer. Haven't I got that right?

(Document marked "Bridges Exhibit No. 5," and retained in committee files.)

Mr. ARENS. In the event of war in Asia would you advocate a strike for the purpose of impeding the shipment of arms to our allies in Asia?

Mr. BRIDGES. Now, this is all mixed up here. We start off by talking about a fight between Chiang Kai-shek, who I think is a bum, and the mainland of China. That is something between the Chinese, and you asked me my position on that.

Mr. ARENS. Would you advocate a strike in order to curtail the shipment of supplies in the event the U.S. Government would ship arms to Formosa?

(The witness conferred with his counsel.)

Mr. BRIDGES. Are we still talking about a war between Formosa and mainland China and you asked me what my position was?

Mr. ARENS. Yes.

Mr. BRIDGES. I would object in every possible way I could. You are asking me. Then you asked me—

Mr. ARENS. No, let's just stay with the question, Mr. Bridges. Would you, as president of ILWU, advocate a strike in order to im-

pede the shipments of supplies to Formosa if the U.S. Government were shipping supplies to Formosa and Formosa and Red China were at war?

Mr. BRIDGES. I don't know what this has got to do with passports. But I want to relate to you the position—

Mr. ARENS. Would you kindly answer the question?

Mr. BRIDGES. I will answer it in my way, Mr. Counsel, if you want an answer and if you will give me a chance.

The CHAIRMAN. Answer the question.

Mr. BRIDGES. All right. We are still dealing with a possible attempt, as I understand it, of Chiang Kai-shek to invade the mainland of China. I am trying to tell you that my attitude toward that, I would strenuously object and do what I could to oppose the United States engaging in such a suicide enterprise.

Mr. ARENS. Would you kindly answer the question? Would you exercise your prerogatives as president of ILWU in the direction of using a strike of longshoremen so as to impede the shipments of these armaments which we have been discussing?

Mr. BRIDGES. I have no such prerogative. You are all mixed up.

Mr. ARENS. Would you advocate a strike?

Mr. BRIDGES. I would prefer to wait and see what would happen at that time. I don't know. At this stage of the game I don't know what I might do.

If I felt doing that would keep the United States from going into such a suicidal enterprise and meaning the loss of life in the United States my position at the moment would be, I think I would.

Mr. SCHERER. You would?

Mr. BRIDGES. I think a single life lost trying to help Chiang Kai-shek get back to the mainland, even one single American penny spent is outrageous.

Mr. SCHERER. Even though the President of the United States adopted such a policy in the interest of the security of the United States?

Mr. BRIDGES. The President could be wrong. A different thing. We are talking about these things. When you are talking about Congress declaring war, which Congress doesn't seem to do any more these days, somebody else does it for us. If Congress declared war on a particular country I don't think I would have much to say about it at all. I would go along or else. That is the way it works. When the country is at war you lose certain rights.

Mr. ARENS. Mr. Bridges, what was the next country you visited after Egypt?

Mr. BRIDGES. Czechoslovakia.

Mr. ARENS. When you filed your passport application—

Mr. BRIDGES. Let me interpose to save you a little time—

Mr. ARENS. Just a moment.

Mr. BRIDGES. Mr. Arens.

Mr. ARENS. Yes, sir.

Mr. BRIDGES. You know we would like to go to Hungary, to dig out a few, at least, facts we hoped, but of course we were forbidden. We couldn't even travel through Hungary to go from Cairo to Israel. We weren't even allowed to fly through the airport, let alone visit the country.

Mr. ARENS. Now, Mr. Bridges, when you filed your original passport application you did not list Czechoslovakia as one of the countries which you intended to visit, is that correct?

Mr. BRIDGES. No, it is not correct.

(Document handed.)

Mr. BRIDGES. I am sorry. It is. One mistake.

Mr. ARENS. When did you decide you wanted to?

Mr. BRIDGES. Get it right now. In order to explain that, you see. I am not saying that when we left we didn't have in mind we might have time to do it. But we was in Egypt. The Egyptian people, because quite a bit of discussion was over the matter of relations between Israel and Egypt, so we were trying to go from Cairo in the Middle East to Israel, which is also in the Middle East and the only way we could get there was to go up around Prague, Vienna, or some place. We couldn't go directly. So we decided we would change our itinerary and we went to Prague and Moscow and then Copenhagen, then back through Germany, back to Israel, all that way, all the way around back to New York.

Mr. ARENS. Did you contemplate going to Czechoslovakia when you left the shores of the United States?

Mr. BRIDGES. I don't know. I forget.

Mr. SCHERER. I didn't hear the the answer.

Mr. BRIDGES. I forget, Mr. Scherer. If you ask did we have any specific plans, I can't recall at this time.

Mr. JACKSON. You were very much surprised to find out Czechoslovakia was not listed on your passport application. You were quite certain it was.

Mr. BRIDGES. The reasons for that was we planned a trip a couple years before. We originally planned a 4 months trip, and I tried to decide against going but I was ruled out by the rest of my officers because there was too tough a trip to try to cover in 6 weeks and originally I know I think we had in mind going to not only Czechoslovakia, but some other places like Yugoslavia and so forth.

Mr. ARENS. Did the fact that Prague is the headquarters of the World Federation of Trade Unions enter into your determination to go there?

Mr. BRIDGES. I don't think so. We know that Prague was headquarters of the WFTU and we knew that before we talked to the people in Prague.

Mr. ARENS. Now, while you were in Prague, did you visit the headquarters of WFTU?

Mr. BRIDGES. We visited two or three very huge buildings. Now, I think that the trade unions there have these huge establishments and at least in one of them was the headquarters of the WFTU. It was completely devoted to WFTU. I am not sure. I think our records would reveal that.

Mr. ARENS. While in Prague did you give any press interviews?

Mr. BRIDGES. No.

Mr. ARENS. I have here an article (Feb. 8, 1959) from "Práce", a daily newspaper of Prague which we have had translated, quoting Harry Bridges, and I should like to read you certain excerpts from that press interview.

Mr. BRIDGES. Let's get it straight first. When you say a press interview it brings to my mind talking to the public press.

Mr. ARENS. You didn't talk to the public press, is that correct?

Mr. BRIDGES. Well, yes, once in Athens, where I said—the AP man cornered me so I interviewed him or he interviewed me, when we landed in Athens, how long we would be there, and when we left there.

Mr. ARENS. Did you give an interview then to Práce, P-r-á-c-e?

Mr. BRIDGES. Was that the trade union paper?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. Oh, yes, we talked to those people.

Mr. ARENS. Did you say as follows:

Since American workers are constantly under the influence of press and radio, which are hostile toward you, we will have to explain many ideas of our union members so that they may have a correct picture of life in Czechoslovakia. For example, our visit at the TOV plant at Celakovice convinced us of the absurdity of the propaganda concerning working conditions in your factories, social care of workers, life of your youth, and the work and position of your union organization. After our visit to England, France, Belgium, Greece and Egypt, we got the impression that you are on the best way toward the achievement of even better results than you hitherto achieved.

Is that what you told them in this press interview?

Mr. BRIDGES. Generally speaking, I think. That is only a part of it. (Document marked "Bridges Exhibit No. 6," and retained in committees files.)

Mr. ARENS. Is that the essence? I haven't omitted anything crucial, have I?

Mr. BRIDGES. I think I am referring there to a visit, to certain visits we made in one plant in particular where we talked to the workers in that plant, surveyed the plant and compared conditions of such matters of unemployment, because Czechoslovakia, and I understand you go to a country like that where you can't speak the language, we were less than 4 days, mainly depending on what people told you, in this case trade unions. As far as we understand, it was the first country we had ever even been in where there was no unemployment. We were very much interested in how come they had no unemployment and had abolished unemployment.

Mr. ARENS. Did it occur to you the abolition of unemployment bore any connection with forced labor in Czechoslovakia?

Mr. BRIDGES. That is what we were looking for, forced labor and couldn't find any.

I went to the American Embassy and asked where we could find forced labor. They couldn't. We checked with the Embassy.

(Mr. Jackson left the room.)

Mr. ARENS. Are the trade unions in Czechoslovakia free or under the influence of the Communist Party?

Mr. BRIDGES. Oh, I say they were under the influence of the Communist Party.

Mr. SCHERER. The same as some of them in America?

Mr. BRIDGES. I think there is a statement to that effect. I think we had a constitution of the trade unions, and I think there is a statement to that effect there within their constitution. They don't use the term "influence." But they say in collaboration or cooperation or something like that.

Mr. SCHERER. That happens in the United States with certain trade unions, does it not?

Mr. BRIDGES. What is that?

Mr. SCHERER. Collaboration with the Communist apparatus. It is not unique in Czechoslovakia, is it?

Mr. BRIDGES. Oh, I think it is much different.

Mr. SCHERER. Much different?

Mr. BRIDGES. Much different, the way I am thinking of it.

Mr. SCHERER. Some unions here in the United States are Communist-dominated, are they not?

Mr. BRIDGES. No. The way I am referring to there, Mr. Scherer, in Czechoslovakia we was out at the plant and we sat down with the plant management and the trade union leadership in that plant and we spent many, many hours, and I asked them what the collective bargaining processes were; and then they spelled out that in the bargaining to cover that plant because of social activities, recreation, housing, and other things, the bargaining goes on, where there is not only the plant management, there is youth representatives, there is trade union representatives and there is Communist Party representatives, that is, the Communist Party group in the plant. They kind of sit in in collective bargaining in certain aspects of collective bargaining, and that is what I was trying to find out, just what part they played.

Mr. ARENS. Did you make an ascertainment of how the people are faring under the Communist regime as compared prior to the time the Communists took over the country?

Mr. BRIDGES. Yes.

Mr. ARENS. What was your conclusion on that?

Mr. BRIDGES. Never mind my conclusions. Let's go by what the workers told me.

Mr. ARENS. All right, sir.

Mr. BRIDGES. Now, where I could, like in this plant we visited, for example, I talked—when we went into the plant, it was a big plant making machine tools, there was a balcony all around, so I spent the first 15 or 20 minutes walking around to see what they were working on, men and women working, just sizing up the pace at which they were working. They weren't working hard.

Then I noticed drifting down the alleyways, the aisles between the various machines, first of all I saw one woman walking down, a man with a couple pint pots of beer in his hands, and then over on the other side I saw a man walking down with a couple pint pots of beer and a couple of hot dogs in his hands.

The general pace of the whole plant was pretty leisurely, I would say, with quite a few of the workers sitting at the machines and most everyone of them reading a book.

Mr. SCHERER. Workers' paradise?

Mr. BRIDGES. What is that?

Mr. SCHERER. Workers' paradise.

Mr. BRIDGES. Workers' what?

Mr. SCHERER. Paradise.

Mr. BRIDGES. I wouldn't say that, Mr. Scherer. That is your term. I don't think it is any use going to a country and just going in with a closed mind or prejudiced mind. What I was trying to do was to find out the good things and bad things. That is what I was trying to find out.

Mr. ARENS. That was one of the bad things you found out, Mr. Bridges?

Mr. BRIDGES. You asked me to explain and I am trying to explain. I don't have to talk the language to try to go to a country and see if workers work hard. And I am a worker, used to be a working stiff myself, and I can tell those things.

I went to talk to workers on the job.

And I said, "All right. Look. This was since the revolution. How was it before the revolution." And I asked them and quite a few of them talked English, and I am going primarily by what they told me, added to what I saw.

This is the conclusions and that is what I based my conclusions on.

Mr. ARENS. Mr. Bridges, we have here for display for your attention a chart developed by competent authority, the AFL-CIO based on extensive research—

Mr. BRIDGES. That is enough for me. I don't want to see the chart.

Mr. ARENS. On the workers' purchasing power in Czechoslovakia before the Communists took over and after the Communists took over. You have told about your experience in seeing the workers drink beer and relax in the plant.

Mr. BRIDGES. Yes.

Mr. ARENS. I invite your attention to this chart, for the period between 1938, before the Communists took over, and 1957, after they took over, which shows a tremendous disparity in the actual amount of working time required for purchasing power.

Mr. BRIDGES. Who says so?

Mr. ARENS. That the worker must engage in in order to earn food, clothing, and the necessities of life.

Mr. BRIDGES. I would sooner go by what I found out myself.

(Document marked "Bridges Exhibit No. 7," and retained in committee files.)

Mr. ARENS. Did you have supplied to you in the course of your study of conditions in Czechoslovakia, which you reported to the Commonwealth Club in San Francisco, and which you have reported in your press interview, the statistics from the Communist government as to the cost in actual hours' work committed by the workers in Czechoslovakia prior to the time the Communists took over and after they took over?

Mr. BRIDGES. I can only tell you what the workers told me along the same line.

Mr. ARENS. Did you discuss with the workers there the monetary reform in Czechoslovakia of June 1, 1953, which wiped out all of the savings of the workers in Czechoslovakia?

Mr. BRIDGES. Yes.

Mr. ARENS. And did they tell you likewise of their right to strike in the labor organizations or did they tell you that they didn't have a right to strike?

Mr. BRIDGES. Let's back up a little. You said the monetary reforms which wiped out the workers' savings, did I discuss them?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. I discussed that particular thing at that time, and I found out that no worker's savings were wiped out.

Mr. ARENS. Who told you that?

Mr. BRIDGES. The workers and the trade unionists.

Mr. ARENS. In whose presence did they tell you that?

Mr. BRIDGES. In whose presence? What do you mean?

Mr. ARENS. What worker told you that?

Mr. BRIDGES. Various workers I talked to where I could talk to them.

Mr. ARENS. Do you speak the Czechoslovakian language?

Mr. BRIDGES. No.

Mr. ARENS. Did you have an interpreter?

Mr. BRIDGES. Yes.

Mr. ARENS. Who supplied the interpreter?

Mr. BRIDGES. The trade union.

Mr. ARENS. Who accompanied you when you went around and talked to these workers?

Mr. BRIDGES. Trade unionists.

Mr. ARENS. And were these trade unionists Communists?

Mr. BRIDGES. In some cases.

Mr. ARENS. You have no doubt in your mind, did you but that—

Mr. BRIDGES. Just a minute. Back up again. Now, wait a while. So we were talking to workers through the interpreters, but they are also talking, quite a few Czechoslovakian workers that would talk English. Somehow or other, I guess they may be smarter than we. They teach in addition to their own language other language in school. It is compulsory. I have never been more sorry in all my life that all I could speak was English.

Mr. ARENS. Did you discuss with them the right to strike?

Mr. BRIDGES. Yes.

Mr. ARENS. Did they tell you they had a right to strike?

Mr. BRIDGES. Yes.

Mr. ARENS. Did they tell you about any strikes they had called off?

Mr. BRIDGES. Yes.

They also told me much more than that when I got through questioning them on that. It was their opinion they could gain a darn sight more by not striking, and I kind of agreed with them the way I saw it, than by striking. They have a different setup and wages are set based on productivity, and there is a production plan in every plant and unless the production plan is acceptable to the trade unions there is no plan, therefore there is no work in the plant.

Mr. ARENS. Did you discuss with the workers the administration of the vacation program?

Mr. BRIDGES. Yes. All under the control of the trade unions guaranteed by laws, as well as free and comprehensive medical care, et cetera, et cetera, including the rates.

Mr. ARENS. I am going to ask you about that in detail in just a minute.

Mr. BRIDGES. You sure spend a lot of time.

Mr. ARENS. You say the vacation program is under control of the trade unions. Are the trade unions in turn under control of the Communist Party?

Mr. BRIDGES. According to what they said, nope.

Mr. ARENS. I call your attention, Mr. Bridges, to certain of the official documents and statements on this very issue.

Mr. BRIDGES. From the AFL-CIO, huh?

Mr. ARENS. No. We have the constitution of the Soviet trade unions.

Mr. BRIDGES. I have that; yes.

Mr. ARENS. We have the constitutions of the various Communist organizations, indicating beyond peradventure of a doubt, the control of the trade unions by the Communist Party. Are you cognizant of the fact, Mr. Bridges, that in the administration of this vacation program which you have just lauded, that the recreation facilities of the vacation program are accorded on the basis of the fulfillment of quotas established by the trade unions?

Mr. BRIDGES. Leaving the last part out and taking one step at the time, I think it is generally true that the recreation facilities either are tied in directly with the production quotas, which are in turn set in conjunction with the unions. That is the way collective bargaining proceeds over there and by and large the way wages are set. That is true.

Mr. ARENS. Are you cognizant of the fact that the Premier of Czechoslovakia called for a reorganization of the health program, asserting that, "Insurance matters are administered without regard to the interests of socialist production, * * * the doctors also lack proper understanding of our productive needs * * *." "Very often," and he is critical here, "Very often, (they, the doctors) take the erroneous philanthropic and liberal view that the main objective is to provide relief for the individual * * *." Did they tell you about that while you were in Czechoslovakia?

Mr. BRIDGES. That is nothing new. We have that trouble every day right here at home. The same reasons. So that is true. What that refers to is that a lot of the production norms that we set in 1946 they told us and with new machinery in the plants what was happening there was some severe inequities between plants. Some plants that had new machinery and more skilled or highly skilled workers over the years and therefore they were producing or meeting the plan with a great deal of leisure time and therefore this made them, or this allowed them to have more benefits. Because of these norms that had been set in 1946 they were struggling hard, both management and labor, to meet the same norms and being discriminated against as it were. That is what that refers to.

Mr. ARENS. Did the individual workers there tell you of their right to quit their job?

Mr. BRIDGES. Sure did.

Mr. ARENS. Any time they want to?

Mr. BRIDGES. Yes.

Mr. ARENS. Go from job to job?

Mr. BRIDGES. No, they can't do that. But they still have cases. They have a technical right. I guess it is something like the Negroes in the South here. They have a right to vote but it is kind of dangerous to do it.

Mr. SCHERER. Just a minute, Mr. Arens.

Mr. Bridges, you are going to fall backward. You are just about a quarter of an inch from the end of the stand.

Mr. BRIDGES. I will fall somewhere before I am through.

Mr. ARENS. In Czechoslovakia, did you talk to George Shaw Wheeler?

Mr. BRIDGES. George who?

Mr. ARENS. George Shaw Wheeler.

Mr. BRIDGES. Yes, I saw him.

Mr. ARENS. Who is George Shaw Wheeler?

Mr. BRIDGES. I knew Wheeler here in the city many years ago, him and his wife.

Mr. ARENS. In what capacity did you know him?

Mr. BRIDGES. I was a member of the Cooperative Bookshop in the city of Washington many, many years ago and a very fine institution and he was active in that, both him and his wife.

Mr. ARENS. What was George Shaw Wheeler doing in Czechoslovakia when you were there?

Mr. BRIDGES. Teaching at the university.

Mr. ARENS. Was he a citizen of the United States at the time?

Mr. BRIDGES. I don't know.

Mr. ARENS. He renounced his citizenship, did he not?

Mr. BRIDGES. I don't know.

Mr. ARENS. Did you make a prior arrangement to confer with George Shaw Wheeler before you went into Czechoslovakia?

Mr. BRIDGES. No.

Mr. ARENS. How did you happen to know that he was there?

Mr. BRIDGES. He came down to the hotel to see us. He knew Glazier who is also someone he knew, somehow or other. I guess he heard we were there. He came down to the hotel. We had a few drinks together and talked and found it interesting and I wanted to check a few things with him. I arranged to see him later and I saw him later again for a short time.

Mr. ARENS. Did you in the course of your interview with these Embassy officials in Prague advise them that the trade union officials had up to that point given you a run around?

Mr. BRIDGES. No.

Mr. ARENS. When did you leave Czechoslovakia?

Mr. BRIDGES. What do you mean, what date?

Mr. ARENS. Yes, sir. Approximately when? How long were you in Czechoslovakia? That will be sufficient.

Mr. BRIDGES. About 3½ days.

Mr. ARENS. What was your next stop?

Mr. BRIDGES. Moscow.

The CHAIRMAN. The committee will stand in recess until 2 o'clock. (Whereupon, at 12:20 p.m., the hearing recessed to reconvene at 2 p.m. of the same day.)

AFTERNOON SESSION, TUESDAY, APRIL 21, 1959

(The hearing was resumed at 2 p.m.)

(At the expiration of the recess the following members of the committee were present: Representatives Walter (presiding), Doyle, Willis, Scherer, and Johansen.)

The CHAIRMAN. The committee will be in order.

Mr. Bridges, will you please resume the witness stand?

TESTIMONY OF HARRY BRIDGES, ACCOMPANIED BY COUNSEL,
GEORGE R. ANDERSEN—Resumed

Mr. BRIDGES. Are we in session, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. BRIDGES. What is this gentleman doing here?

Do I have to submit to photographs?

The CHAIRMAN. No.

Mr. BRIDGES. "I am sorry for the working members of the press but there is a principle involved.

Mr. ARENS. Mr. Bridges, prior to your arrival in the Soviet Union, did the ILWU or did you as an individual maintain contacts with persons in the Soviet Union?

Mr. BRIDGES. Yes, I think so. You are talking about correspondence?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. Yes.

Mr. ARENS. With whom did you correspond?

Mr. BRIDGES. The trade union people.

Mr. ARENS. Who were they, do you recall?

Mr. BRIDGES. Offhand, no.

Mr. ARENS. With what trade unions were they connected in the Soviet Union?

Mr. BRIDGES. The transport union.

Mr. ARENS. Do you recall the name of the transport union?

Mr. BRIDGES. One would be a gentleman named Yarosh, Y-a-r-o-s-h.

Mr. ARENS. May I, without being rude to you, ask if you are reading from a prepared itinerary that you have?

Mr. BRIDGES. I am reading from a few notes of that, yes. It is a prepared itinerary. Do you want it?

Mr. ARENS. I just wondered if that is in such condition that you would present it to the committee if that is your itinerary on the people with whom you conferred.

Mr. BRIDGES. In part. It is rough. It would need me to interpret it.

Mr. ARENS. All right, sir.

Mr. BRIDGES. Unless you take it along with me it is not much good.

Mr. ARENS. When you arrived at the Soviet Union, with what groups or persons did you confer?

(At this point, Mr. Moulder entered the hearing room.)

Mr. BRIDGES. Officers of the Soviet Sea and River Transport Workers Union and officers of the All Union Central Council of Soviet Trade Unions.

Mr. ARENS. Do you speak Russian?

Mr. BRIDGES. No.

Mr. ARENS. Did you have a Russian interpreter?

Mr. BRIDGES. Yes.

Mr. ARENS. Did you in the course of your conferences in Moscow confer with any Government officials other than officials of the trade unions?

Mr. BRIDGES. I do not know.

Mr. ARENS. I am not quibbling with you. You spoke of your conferences with officials of two trade unions.

Did you, in addition to that, confer with Soviet leaders in the Government?

Mr. BRIDGES. I am just trying to figure because in practically every country we went to we found that the trade union leaders were the members of the government; in Britain, for example, members of the Labor Party and Mr. Santi and others. I don't know which one of these leaders were members of the Soviet, Supreme Soviet or not.

Mr. ARENS. Did you in the course of your conversations with these officials in Moscow discuss with them the findings that you had arrived at as a result of your experiences in England, France, Italy, and Czechoslovakia?

Mr. BRIDGES. Oh, yes.

Mr. ARENS. Did you confer with American personnel at our Embassy in Moscow?

Mr. BRIDGES. We certainly did. We were treated very courteously and very well. I want to make it clear because of something I said here earlier today about the treatment we received at the Greek Embassy; I would not want it to appear that the young man that made the arrangements for us with the Greek Federation of Labor went out of his way to do it. I don't want to cause anybody the loss of their jobs.

Mr. SCHERER. I did not have that in mind. I was going to compliment him on his conduct.

Mr. BRIDGES. I am glad to hear it, Mr. Scherer.

I am saying that we received very courteous and fine treatment with the personnel of every embassy we went to, including Moscow and Prague with this one exception.

Mr. ARENS. Did you discuss with our Embassy personnel the location of slave labor camps in Soviet Russia?

Mr. BRIDGES. I sure did.

Mr. ARENS. Were you advised by them respecting the maximum security prison labor camps and the existence of slave labor camps in certain areas?

Mr. BRIDGES. Do you want me to tell the story?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. All right.

We went up, I think the second day we were there we went up to the Soviet Embassy, met two gentlemen. They were economists attached—I said Soviet Embassy. I meant the American Embassy. One was a Mr. Winters, economic officer of the U.S. Embassy and I think the other was a man named Hunter.¹ We explained that we wanted to find out all we could while we were in the Soviet Union, we were only due to be there 4 days, we had not intended to come. We did plan to go to the port of Leningrad, which was frozen over. That was more or less part of our itinerary going to and coming back from Sweden and Denmark.

So we discussed general things like the new 7-year plan.

These were two economists. We expressed a certain amount of skepticism as to whether such things could be done in the span of time, it required a huge jump in industrial overall production, and they likewise expressed their skepticism.

¹ Richard C. Harmstone, Vice Consul, U.S. Embassy, Moscow.

They had all the Soviet papers there. They had been analyzing it. Both of them spoke Russian.

Then we finally got around to the issue of slave labor camps. I told them that we had made arrangements as far as we were able to with these trade union officers we were speaking to and the officers of the All Union Central Council of Soviet Trade Unions to be taken anywhere we wanted to go and to take anybody with us that we wanted to take and to see anything we wanted to see.

I said to these two gentlemen in the Embassy, "I want to see some slave camps. Where are they? What is their address? You people live here."

I noticed that on the table they had some documents of the ICFTU dealing with slave labor, the ones that say that Russia is full of slave-labor camps.

Well, the gentleman said, "Well, listen. Since the change from the Stalin era and certain other changes, why, there have been quite a few changes and people have been released, et cetera, and now they are called prison camps."

Well, "let's settle for them. Where are they?" I says, "While we are at it, of course we can go visit these camps. Both of you gentlemen speak Russian. I would like to have one or both of you accompany us to one of these camps so that we won't be hornswoggled and necessarily have to depend upon the Soviet interpreters."

"Well," they said, "you had better ask the trade union people what is the location of these places."

I said, "I am asking you. You are the American Embassy here and I am asking you the location of some of these slave labor camps. Do you know of any?"

And they said, "No."

Mr. ARENS. Now, Mr. Bridges, the Committee on Un-American Activities solicited via the State Department a report on the essence of that conversation and was advised, in essence, that the American Embassy officers simply told you, sir, to request the Communist Soviet officials to conduct you to any maximum security prison labor-camps, the existence of which is common knowledge in the Soviet Union, and more specifically that you specify the areas of Norilsk, N-o-r-i-l-s-k, or Magadan, M-a-g-a-d-a-n.

While you are under oath, would you kindly tell us whether or not the information which I am now imparting to you is a substantially correct summary of the information given to you by the Embassy officials?

Mr. BRIDGES. Back up a minute. That is quite a statement.

Let's start all over again, piece by piece. I will tell you. The age of McCarthy isn't dead yet. I don't want to cause any poor fellows overseas to lose their job.

Mr. ARENS. While you are under oath—

Mr. BRIDGES. Don't remind me I am under oath, I have been under oath lots of times.

Mr. ARENS. Whether or not the American Embassy officials in Moscow told you that if you wanted to see slave labor camps you should request the officials there to direct you to any maximum security prison labor camps, the existence of which are acknowledged by the Soviets.

Mr. BRIDGES. No. Just a minute now. Wait a minute.

The way you put it is he gets it all twisted up.

I related what happened. They said, "On slave labor camps they have more or less been changed, et cetera, and they call them prison camps now and if you want to see one of them, well, you had better ask the people you are dealing with."

Mr. ARENS. Did you ask the people you were dealing with about seeing these prison camps?

Mr. BRIDGES. Yes.

Mr. ARENS. Did you see any of them?

Mr. BRIDGES. No.

Just a minute. Understand, I went back and I said, "I'll let you know later on," because I wanted to take these two Russian speaking gentlemen from the Embassy to go along with us and, when they couldn't go, I thought "what the hell is the use?"

Mr. ARENS. Did you make any specific request to see prison labor camps in the Norilsk or Magadan area?

Mr. BRIDGES. I don't even know what those names mean.

Mr. ARENS. Did you make any request to see prison camps in any specific area?

Mr. BRIDGES. Furthermore, the gentlemen in the Embassy did not mention those names to me.

Mr. ARENS. Did the gentlemen in the Embassy direct your attention to the problem of prison labor in the Russian crab industry?

Mr. BRIDGES. Sure did. I have got it all written down.

That is right.

Mr. ARENS. Did that just slip your memory a few minutes ago?

Mr. BRIDGES. No, that's a special point. If you had not mentioned it, I would have. Let me tell you about that. Want to hear it?

Mr. ARENS. Yes; please, sir.

Mr. BRIDGES. All right. In effect, as I recall it, I said, "Look, there is one place we have heard of."

I asked them "Wait a while." Hearing and knowing is two different things.

"Well, this is our information."

Mr. SCHERER. Mr. Chairman, may I clarify something? I may be wrong and correct me if I am wrong, but I remember that you said a few minutes ago that these men in the U.S. Embassy said that they had no knowledge as to the location of any slave labor camps or prison camps.

Mr. BRIDGES. That is right, Mr. Scherer. I pressed the point. Understand, I want to be fair about this. They said that the nature of the camps had been changed, that with the end of the Stalin era they call them prison camps now.

Mr. SCHERER. You said that they told you they had no knowledge of the location of any of these camps, whether you call them prison camps, slave labor camps, or whatever you call them. That is not what they say they said.

Mr. BRIDGES. Well, I am trying to get it right here. When they said that they had been changed to prison camps, I said "All right. Where are they? We will go and see them. Will you come with us?"

They said, "Go and ask your friends for those locations."

That is what I don't want to disagree with them. I know what I know and I know what my notes show.

Mr. ARENS. Did they discuss with you what they call closed areas in the Soviet Union?

Mr. BRIDGES. How about getting back to the crab?

Mr. ARENS. Yes, sir. I thought you concluded on that.

Mr. BRIDGES. Oh, I hadn't

Mr. ARENS. Did they point out—

Mr. BRIDGES. I hadn't even gotten started.

Mr. ARENS. Excuse me, then.

Let me pose a question, if you please, sir. Did they call your attention to slave labor used in the crab industry?

Mr. BRIDGES. They said, according to their information these were the circumstances and that we had a law or a regulation in America here where, because of the nature of labor used in these crab canneries, that that crab was barred from importation into the United States. I was very interested because amongst some of the members of the union I represent fishermen and I said, "Well, I have to admit that a lot of our members would be for that particular law, maybe for different reasons." But I said, "let's have this information. This is interesting. This is something I didn't even know about."

So we copied down or he copied down in his handwriting the location of this cannery.

Well, inasmuch as we only had 2 or 3 days there and inasmuch as it was in Vladivostok, that was a little too far away for us to attempt to visit so we had to exclude it.

Mr. ARENS. May we get this record clear of this instance. Did the American Embassy officials make known to you their knowledge of the existence of slave labor or prison labor camps in Soviet Russia?

Mr. BRIDGES. Only in the sense that I told you.

Mr. ARENS. Did you, after your return from your trip, make a speech out in San Francisco before the Commonwealth Club?

Mr. BRIDGES. Yes.

Mr. ARENS. After you made your speech, was there a question and answer period?

Mr. BRIDGES. Yes.

Mr. ARENS. I should like to read you what we have as an excerpt of part of your answer to certain questions.

Mr. BRIDGES. Yes.

Mr. ARENS. (reading):

We went up to the American Embassy, two economists there speaking Russian, and said, "Now look, we are here, we're in like Flynn, as it were. We can go any place and see anything we want to see. You people both speak Russian, come along with us so that we don't get hornswoggled." Well, they didn't exactly say no, but they didn't say yes either, and we asked these questions about strikes, slave labor camps, how free the labor movement was, come along and help us ask the workers questions, so that we don't have to believe our translators. Well, they said they would have to give 48 hours' notice to the Soviet Government and it would look like we suspected them of not telling the truth. And I said, "That is just what I am saying. That is the purpose of this." Well, it didn't develop. I go to the same Embassy and I say, "Listen. We want to know about these slave labor camps. Now, we have been promised by these people, all big people in the Soviet trade union movement, they will take us anywhere and let us see anything we want to see. I want the address of a couple of slave labor camps. And I want you people to come along because you speak Russian."

They said, "Sorry, we don't know of any."

Now, is what I have just read you a true and correct reproduction of the statements you made before the Commonwealth Club on March 20, 1959?

(Document marked "Bridges Exhibit No. 8," and retained in committee files.)

Mr. BRIDGES. What's the difference between those statements and what I am saying here?

(For purpose of comparison, the Memorandum of Conversation prepared in Moscow on February 9, 1959, by Messrs. Winters and Harmstone of the United States Embassy follows:)

MEMORANDUM OF CONVERSATION

Date: February 9, 1959.

Participants:

Mr. Harry R. Bridges, President—International Longshoremen's Union

Mr. William H. Glazier, Mr. Bridges' assistant

FSR George P. Winters

FSO Richard C. Harmstone

Messrs. Bridges and Glazier came to the Embassy about noon on February 9, and asked to see the Embassy's economic officers. They had arrived in Moscow the previous day, they said.

Mr. Bridges went somewhat out of his way to stress the fact that this was his first visit to the Soviet Union, also that neither he nor Mr. Glazier spoke the language; hence their desire to benefit from the economic knowledge of the reporting officers and their hope that either or both of the latter might accompany them on some of their meetings or tours with the Soviets, assuming this could be arranged. Bridges was promised all possible cooperation. Interestingly enough, Bridges telephoned back about two hours after leaving the Embassy to report that arrangements had been made to visit the port of Odessa the following day. They were departing by air at 3 a.m., returning from Odessa about 6 p.m. following a day in the port. He had, he said, raised with the Soviet trade union officials the question of inviting an Embassy officer to accompany them and these officials had promptly acceded to the request. They had, however, indicated that certain problems concerning "closed areas" might require resolution between the Embassy and Soviet Foreign Ministry.

Bridges was told that the matter would be looked into and we would call him back at the hotel. Following a discussion of this matter with the Minister-Counselor, a phone call was put through to Bridges, who was informed that the Embassy deemed it advisable to adhere to the Soviet rule requiring forty-eight hours' advance notice for trips outside the Moscow perimeter. This, for example, we had previously done on the occasion of the recent visit of the U.S. Electric Power Delegation to the U.S.S.R., despite the fact that an Embassy officer was specifically invited by the Minister of Electric Stations. Bridges expressed disappointment, but seemed to accept the logic of the situation.

A second matter stressed by Bridges was his concern with the problem of "slave" or prison labor camps in the U.S.S.R. "Could the Embassy," he asked, provide him "with the specific location of a known labor camp," which he in turn could present to the Soviet authorities with his request to investigate conditions in said camp. This question was fielded with the generalization that much less is known about such camps today since the post-Beria "reforms". He could, however, we suggested, simply request a visit to any "maximum security" prison labor camp, the general existence of which is acknowledged by the Soviets. Moreover, he might further specify a camp in some such well-known area as Norilsk or Magadan, although the time required for any serious investigation in such distant areas might take them considerably beyond their indicated departure date, only two days hence.

Finally, it was pointed out by the reporting officers that the problem of prison labor in the crab industry marks an area in which the U.S. Government had taken action to prohibit imports of crabmeat. The efforts of a previous economic officer of the Embassy were related, who had expressed to the Soviet authorities his preparedness to travel to any crabbing industry installation at any time; thereafter to report to his government the labor conditions observed there. As no response had been received by the Embassy to this offer, here it seemed was a specific question which Bridges might fruitfully bring up in his conversations with the Soviets along this line. Bridges expressed great interest in this possibility, pointing out that some of his union members were employed in this branch of industry, and that he and Glazier would not hesitate to extend their stay in the Soviet Union if provided the opportunity to really look into this "slave labor" business.

Bridges alluded to the poor treatment accorded him and Glazier by our Embassy in Athens, although we were unable to elicit the specifics of the charges. In Prague, apparently, the pair was received more cordially, presumably as they were then being received in Moscow. The most important information turned up by these "investigators" in Prague (presumably not from an Embassy source) concerned the problem experienced by the Czech Government in getting people to settle in its border areas with Germany. The reason for the difficulty, it turned out, was a series of open and illicit radio transmissions from Germany which counseled the Czechs not to return to these areas as the West Germans were soon coming back to take them over.

Turning to the question of the present role and status of Soviet trade unions, the reporting officers stated their strong impression that the average Soviet worker neither thinks much of, or expects much from his trade union today; also, that the present regime was experiencing no little difficulty in its efforts to regenerate some enthusiasm.

In order to give Bridges and Glazier some idea of this attitude of Soviet citizens towards their trade unions, one officer read out loud some of the exchanges between members of a Soviet audience and the speaker at a public lecture on Soviet trade unions in Moscow last year. The exchanges are reproduced below.

"Q. All you said about widening union rights was said years ago by Lenin. Why weren't his views carried out?

"A. There were many conditions that interfered; chiefly, there were not enough members in the unions until the present time.

"Q. Why do we have wages of 230 rubles a month and 12,030 a month?

"A. N. S. Khrushchev already has spoken about this. In addition, I have mentioned the 500 ruble minimum wage to be introduced under the new plan.

"Q. Tell us about unions abroad, particularly about the Yugoslav workers' councils.

"A. There is not time to discuss foreign unions. Regarding Yugoslav workers' councils, we have objectively studied them and decided that they were unnecessary and besides, would only serve to weaken the existing factory union committee.

"Q. If the unions are democratic bodies, why are there many high union officials who have not been elected to their positions by union congresses? (Here a voice from the audience called out, 'They are recommended by the Central Committee of the CPSU.')

"A. That is true. These people are recommended by the CC of the CPSU, and there is no reason why they should not serve as union officials."

Bridges said these questions were a "healthy sign". They were the same type of questions members of his union put to their leaders. As for other unions, and the character of the democratic process prevailing in them, "nobody has any questions about the way Meany gets elected", said Bridges.

Glazier was handed an article to read on Soviet trade unions, which appeared in the December 1958 issue of the IOFTU publication *Spotlight*. Glazier read the article, which is quite hostile in tone, finding it "very interesting".

In discussing the possibilities for increasing the Soviet labor force, one of the reporting officers observed that a reduction in the size of the Soviet militia would release many able-bodied men for employment in industry. Bridges said he would not raise the question of the size of the Soviet police force in his talks with Soviet officials as they might inquire about the U.S. police force which, in his opinion, is enormous.

Other more theoretical topics were touched upon briefly in the course of the conversation; these included the Soviet method of calculating labor productivity, possible elimination of supplements to wages of non-native personnel in the Soviet East, the problem of reducing the work week without reducing production, etc.

Mr. ARENS. Would you kindly answer the question?

Mr. BRIDGES. I have answered the best I could. I have told you.

Mr. ARENS. Just a moment, sir. Is what I have read you a true and correct statement of what you said before the Commonwealth Club on March 20, 1959? (Referring to quotation appearing on p. 711.)

Mr. BRIDGES. Let's read it.

(The document was handed to the witness.)

Mr. BRIDGES. Is this title correct, "Taken From Tape of Questions and Answers"?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. I see. I would say generally this is true.

Mr. ARENS. Is this part particularly true that I read you?

Mr. BRIDGES. Don't lift anything out of context now.

Mr. ARENS. If I lift it out of context you correct me.

Mr. BRIDGES. I sure will.

Mr. ARENS. Did the American Embassy officials, when you asked them about slave labor camps, say, and I quote specifically, "*They said 'Sorry, we don't know of any'.*"?

Mr. BRIDGES. That is what I said there. Now, understand, in this exchange that was—I was speaking there. I was trying to make the questions brief and this compresses it into just that answer and all I have done here is elaborate it; but when you get down to the essence of it when I compressed and said, "I want to see a slave labor camp," they said, "*We don't know of any*"; that is right.

Mr. ARENS. Didn't the American Embassy officials tell you particularly about prison labor camps in the crab industry?

Mr. BRIDGES. They told me about the crab industry based on their information, yes.

Mr. ARENS. Did they tell you about prison labor camps in the crab industry?

Mr. BRIDGES. They did in a sense.

Mr. ARENS. Did they tell you?

Mr. BRIDGES. I think there is a big distinction here, Mr. Counsel. My understanding and my recollection of what they said, they said, "Look. There is another place you might go and visit because we have a law against importing the crab canned in that place because it employs slave labor," meaning here is a place where at least we have gone so far as to pass a law because it has got slave labor. There is a place, maybe the kind you are looking for, and you ought to go and see it.

That sets that crab cannery apart from the other things.

Mr. ARENS. Did the American Embassy officials tell you to ask to see any maximum security prison labor camp, the existence of which is acknowledged by the Soviets?

Mr. BRIDGES. Maybe they didn't use the words "maximum security," but they certainly used the words "prison camp" and said, "This is what has happened to the slave labor camps. They have turned them into prison camps."

We asked, "All right. Where are they? We will go and see them."

Mr. SCHERER. You mean they have changed the name, since Khrushchev took over, from slave labor camps to prison camps?

Mr. BRIDGES. This is my impression of what they are saying. The way they describe it there have been quite a few changes which we know about since the Stalin era and all the rest of it that a lot of rules have changed and, from what I understood, too, the Embassy people to say, a lot of people had been released. There was much more.

Mr. SCHERER. My specific question was, they now call the slave labor camps, since this change you are telling us about, prison camps?

Mr. BRIDGES. That is not what they told us. With the explanations that I have given here that is what they said. I am trying to quote these gentlemen correctly because obviously, they seemed to me to be trying to cooperate.

Mr. ARENS. You did not tell the Commonwealth Club, however, about their announcements to you about the prison labor camp in the crab industry, did you?

Mr. BRIDGES. No. I didn't say it not because I was trying to conceal anything. I only had a certain amount of time and I was trying to cooperate with the people in the Commonwealth Club and answer questions as quickly as I could.

Mr. ARENS. You did not tell the members of the Commonwealth Club about the American Embassy personnel telling you that if you want to find slave labor camps just ask to see the maximum security prison labor camps, the general existence of which is acknowledged by the Soviets, did you?

Mr. BRIDGES. To accommodate you, as soon as I return to San Francisco, I will ask the officers of the Commonwealth Club to have another whirl at it and I will tell them next time.

Mr. ARENS. When you see the officers of the Commonwealth Club, will you display to them a copy of this map you saw on the table of the American Embassy officials when you were there, which points out dozens of slave labor camps and with a notation at the bottom "A reward of \$1,000 will be paid by the Free Trade Union Committee for evidence disproving the authenticity of the Soviet documents here reproduced."

Did you see on the table at the American Embassy in Moscow a map or a chart similar to the one which I now display to you showing the existence of numerous slave labor camps in Soviet Russia?

Mr. BRIDGES. No.

Mr. ARENS. I beg your pardon?

Mr. BRIDGES. No; not that I can recall.

Mr. ARENS. What was the map that you saw there?

Mr. BRIDGES. I wish I had have.

Mr. ARENS. What was the map you saw?

Mr. BRIDGES. I didn't say I saw a map.

Mr. ARENS. Did you see a chart there?

Mr. BRIDGES. No.

Mr. ARENS. What did you see in the nature of documentary evidence displayed to you or available to you there in the American Embassy in Soviet Russia with respect to slave-labor camps?

Mr. BRIDGES. There was some literature and papers in English. I didn't pick them up and read them. I just saw "The figures tell." The whole desk was covered with English and Russian papers.

Mr. ARENS. Did these papers relate to slave labor camps?

Mr. BRIDGES. I saw one of them. It was an ICFTU publication with some reference to it.

Mr. ARENS. Did you read that publication?

Mr. BRIDGES. No.

Mr. ARENS. You went there for the purpose of inquiring about the existence of slave-labor camps, did you not?

Mr. BRIDGES. Yes.

Mr. ARENS. And you saw a publication there by the ICFTU, telling about slave-labor camps; did you not?

Mr. BRIDGES. Yes.

Mr. ARENS. But you did not pick it up and read it; is that correct?

Mr. BRIDGES. Why should I? I have read so much junk from that outfit that why should I waste my time on a trip where I was short of time reading it there and, for my money, that is probably junk, too.

My information doesn't check with what they say.

Now, I might be wrong but I am entitled to an opinion based on what I saw. And if that is the case, listen, what are the reasons we were in the Soviet Union? Mr. Chairman—

The CHAIRMAN. Yes.

Mr. BRIDGES. In view of passport legislation, we saw all kinds of people traipsing around Moscow and the Soviet Union from this country and every other country.

The AFL-CIO forbids any trade-union delegations to go to the Soviet Union. We observed a rule in our trip overseas that when we couldn't go somewhere and see anything we had the right to assume the worst.

Now, belly dancers, musicians, now soon the Vice President, I hope is going to be visiting the Soviet Union. The labor movement of this country forbids unions to send official delegations to the Soviet Union. I think it is because they are afraid that the unions will find out some of the truth.

I am not trying to conceal any of the bad things, including slave-labor camps, their existence or nonexistence.

Mr. ARENS. May I read to you, sir, now, in view of your observation, a "Statement by the AFL-CIO Executive Council on Contacts with 'Trade Unions' in Totalitarian Countries," issued in San Juan, P.R., February 20, 1959:—

The myth that the Soviet Union is a workers' state is the constantly repeated claim of Communist propaganda. It is on the basis of this deception that the Soviet leaders address their appeals for fraternity and support to the trade unions, the organizations of workers in other countries.

The Soviet leaders openly proclaim the domination of their own so-called trade unions by the Communist Party. They rarely trouble to disguise the subservience of these so-called trade unions to the Soviet Government. In fact, they often claim that this "privileged" position is something which trade unions in other countries should envy. Short of using military force, the major weapon of the Communists in their campaign against the Free West is the subversion of trade unions and other organizations of workers.

Under the false front of peaceful coexistence and alleged departures from the harshness of the Stalinist regime, the present leaders of the Soviet Union are renewing their efforts to win moral respectability for their regime and to mislead the workers of the free world into accepting these state company unions as bona fide organizations of the workers.

The Executive Council of the AFL-CIO, therefore, reiterates its opposition to the idea of free labor sending delegations to any country which prohibits free trade unions, outlaws all free trade union activities and penalizes workers for advocating free trade unionism—whether such country be Communist or Fascist or any other totalitarian hue.

Mr. BRIDGES. What's the question with respect to that document?

Mr. ARENS. In view of your observation respecting the position of certain labor organizations on this question of observing slave labor camps, I was calling your attention to the statement of the AFL-CIO.

Mr. BRIDGES. I am glad to see a congressional committee—that is what the lawyers call a self-serving statement.

Mr. ARENS. Would you kindly tell us, sir, did you inquire of the Communist officials in Moscow as to the conditions upon which personnel of the U.S. Embassy could accompany you on the trips to the slave labor camps?

Mr. BRIDGES. Give me it again.

Mr. ARENS. Did you inquire of the Communist officials in Moscow as to the conditions under which American officials could accompany you on your proposed tour of the slave labor camps?

Mr. BRIDGES. I was talking to trade unionists.

Mr. ARENS. Did you make a solicitation of the Communist officials, whether they be trade unionists or officials of the Government, for permission for American Embassy officials to accompany you?

Mr. BRIDGES. I asked the trade union officials that we were meeting with would it be all right, and they said "yes."

Mr. ARENS. Did they tell you that it was, under their policy, necessary for an official notice to be given 48 hours in advance?

Mr. BRIDGES. I had already been told. I was told that by the gentlemen in the Embassy.

Mr. ARENS. Did the gentlemen in the Embassy, to your knowledge, make any solicitation at your behest in order to accompany you on the proposed tour of the slave labor camps?

Mr. BRIDGES. According to what they told me, yes, sir. We were going to Odessa that evening and when we didn't make any headway on the slave labor camps, I asked would they accompany us to Odessa where we were going to talk to the workers, the longshoremen of Odessa. They said they would let me know.

So we had all the arrangements made. We were going by plane, leaving around midnight, and I talked to the gentlemen at the Embassy around 6 o'clock and they explained, and it made sense to me, that by the regulations in the Soviet Union they had to give 48 hours' notice before they moved out, that is under Soviet regulation, before they moved away from the Embassy over a certain distance, and that they apparently had discussed this matter with their superior—I don't think it was the Ambassador—and that, the way they explained it to me, they didn't want to ask this favor of the Soviet Government under these circumstances.

The CHAIRMAN. May I get this straight? From what I understand you to say, the officials of this Government must obtain permission, 48 hours in advance, before they move out of our Embassy?

Mr. BRIDGES. My understanding, Mr. Chairman, was that to travel as far as Odessa, which was quite a ways, although they could move to certain distances, but a trip of that kind required 48 hours' notice to the Soviet Government and official permission of the Soviet Government to make a trip of that distance and that they apparently had conferred with some of their superior officers in the Embassy and a decision had been reached that under the circumstances now, I can draw my own conclusions. I am relating a conversation that, under

the circumstances, they did not wish to ask an exception to the rules to make this trip. Therefore they couldn't go with us.

Mr. ARENS. Now, sir, when you were concerned about finding information respecting slave labor camps in the Soviet Union, were you aware of the fact that a survey was conducted in 1953 under the auspices of a United Nations committee (Ad Hoc Committee on Forced Labour, UN and ILO) by three eminent jurists, one from India, one from Norway, and one from Peru, and they published a study under the auspices of the United Nations on forced labor and in that study the report found that the Soviet Union and its satellites used forced labor as a means of political coercion and that it existed "in its fullest form" and on a scale of "considerable economic importance." Were you cognizant of that study and that report when you walked into the American Embassy and asked about the existence of slave labor camps?

Mr. BRIDGES. I was trying to conduct my own survey in conjunction with the American Embassy.

Mr. ARENS. Were you aware of the existence of this report by the United Nations?

Mr. BRIDGES. I don't know if I was or not. It wouldn't make any difference to me if I was.

I was trying to conduct my own survey and I put much more faith in a trade union survey, so all I was trying to do to get it straight, I tried to explain, is that I went to the U.S. Embassy and tried to join with them to conduct our own survey of slave labor camps, and I have related the story here of what success we had.

Mr. ARENS. Did they say, "*Sorry, we don't know of any.*"

Mr. BRIDGES. That has been answered.

(Document, marked "Bridges Exhibit No. 11," and retained in committee files.)

Mr. ARENS. Now, sir, did you, while you were in the Soviet Union give any press interviews?

Mr. BRIDGES. That is right. Once again a press interview? We had a discussion, with a trade union bulletin, I think it was.

Mr. ARENS. Did you have any general press interviews or was it only with the publications of Communist labor organizations?

Mr. BRIDGES. What does that mean?

Mr. ARENS. What publication did you have an interview with?

Mr. BRIDGES. I don't know.

Mr. ARENS. Was it Trud?

Mr. BRIDGES. If that is the publication of the Transport Workers Union, then that is probably the one.

Mr. ARENS. Now, during the course of your interview with this publication of the Communist trade union organization—

Mr. BRIDGES. Just a minute, Mr. Counsel. You keep on making these descriptions and I hope this record is clear and I want to make it clear that these are your designations.

Mr. ARENS. We will make it clear in a few minutes because I am going to get into a question about the control.

Mr. BRIDGES. What was the last time you were in Moscow?

Mr. ARENS. Now, sir, did you in your interview with Trud make the observation that the Soviet trade unions are more democratic than many American trade unions?

Mr. BRIDGES. I did. Well, maybe that is not the exact words. I am not going to go by your translations, et cetera, but I made a statement along those lines.

The answer is "Yes." Do you want me to explain it or is this committee suddenly boosting the democracy of American trade unions?

I have got a lot to say on that if you want me to open up.

The CHAIRMAN. We are not going to spend the afternoon talking about the democracy of trade unions or the lack of it.

Go ahead, Mr. Arens.

Mr. ARENS. In the course of your study of the trade unions in the Soviet Union, was your attention directed to the trade union statutes and by-laws of the Soviet Union which read as follows:

Soviet trade unions carry on all their work under the leadership of the Communist Party, the organizing and directing force of Soviet society. The trade unions of the U.S.S.R. rally the working masses around the party of Lenin and Stalin.

Did you have your attention directed to that statute?

Mr. BRIDGES. I had my attention directed to a copy of the constitution of the unions printed in English. I don't know what you have there but if you get a copy of the constitution itself, an official document of the trade union, I was talking to at least the transport union and there is some language, not exactly the same as that, but something along the lines where it says that "this union works in connection with Communist policy," or something like that.

I think the best document would be the official copy of the constitution itself.

(Document marked "Bridges Exhibit No. 12," and retained in committee files.)

Mr. ARENS. Did you have your attention directed while you were in the Soviet Union and while you were in the process of issuing this statement about the democracy of the Soviet trade unions, to the Soviet trade union bylaws—

Mr. BRIDGES. Just a minute. Let me stop you.

You asked me a part of a question a while ago where my answer in effect was "Look. In some respects after studying this question, the framework of the trade unions, the way they function, their elections, et cetera," I said, "I find them more democratic in this way than many American unions I know."

Now, that was my statement. You are chopping it up and lifting it out of its general context.

I have already told you if you want me to explain further why I said that, I am willing to go.

Mr. ARENS. Were the trade unions in the Soviet Union free public organizations?

Mr. BRIDGES. They are guaranteed. That is the way they are described under the law as far as I know.

Mr. ARENS. And did you describe to the Commonwealth Club in San Francisco your discovery that the labor unions in Russia are free public organizations?

Mr. BRIDGES. I think I did because that is the way the law reads governing trade unions.

Mr. ARENS. They are free public organizations?

Mr. BRIDGES. That is the language of the law, Mr. Arens.

Mr. ARENS. Did they also call your attention to that part of the statutes and bylaws requiring every trade union member—

- a. To strictly observe State and labor discipline;
- b. To guard and strengthen public Socialist property as the sacred inviolable basis of the Soviet system, as the source of wealth and power of the Motherland, as the source of all the workers' well being and cultured life.

Did they call your attention to that statute?

Mr. BRIDGES. I think the language, not the same words but generally, is in their constitution.

Are you asking me if it is there or are you asking me what I think of it?

Mr. ARENS. You were making a study there and later reported to the Commonwealth Club your findings and you alluded to some statute. I was only inquiring whether or not they directed your attention to these other statutes.

Mr. BRIDGES. Yes; I got a copy of the laws and I got a copy of the constitution of the unions and I studied it.

Mr. ARENS. Did you meet George Morris while you were in Moscow?

Mr. BRIDGES. Yes.

Mr. ARENS. Who is George Morris?

Mr. BRIDGES. George Morris. If he is not now or wasn't at that time he used to be the correspondent for the New York Daily Worker. That is the Communist Party paper.

Mr. ARENS. What was he doing in Moscow?

Mr. BRIDGES. I don't know. I think he was covering the congress over there.

Mr. ARENS. Did you confer with him respecting the trade unions in the Soviet Union?

Mr. BRIDGES. No.

Mr. SCHERER. May I ask if you referred to George Morris?

Mr. ARENS. M-o-r-r-i-s.

Mr. SCHERER. Correspondent for the Daily Worker?

Mr. ARENS. Yes, sir.

Mr. SCHERER. Does your investigation show whether Morris obtained a passport since the Supreme Court decision of June 16, 1958?

Mr. ARENS. It does; yes, sir. He has one.

Are you cognizant of the articles which George Morris has been writing in the Worker respecting the Soviet trade unions?

Mr. BRIDGES. No.

Mr. ARENS. Are you aware of the statements he has been making showing the intimate connection between the trade unions in the Soviet Union and the Communist Party?

Mr. BRIDGES. No.

Look. I have known George Morris, I guess, since 1934. Now, I am not going to ask George Morris about trade unions. I am a trade unionist. If I want to know something about trade unions I just figure I will go to the trade unionists.

I met George Morris and we hoisted a couple of drinks and that was that. I even thought that was allowed.

Mr. ARENS. Did you, while you were in Moscow, give an interview which was carried in a Canadian paper, The Canadian Tribune, respecting the trade union movement?

Mr. BRIDGES. Did I give a which?

Mr. ARENS. Did you give an interview?

Mr. BRIDGES. To save you time, the only interview is the one you just referred to. There wasn't any other.

You can call it an interview if you like, talking about discussion with the trade unionists and these members of their trade union staff, that is, their newspaper staff. There was no other interview.

Mr. ARENS. Did you make a public statement of attribution to yourself while you were in Moscow to the effect that it would be good if American trade unionists and the AFL-CIO would visit the Soviet Union—they would find out that everything told the working people in the United States about the U.S.S.R. is pure lying and slanderous propaganda.

Did you make that statement?

Mr. BRIDGES. I don't recall making the statement in those words. I said this, if you want me to repeat from memory: that with all the other people visiting over there I thought that the trade unions should send some trade unionists over and help to correct what I thought is a lot of misleading information that has been poured out about the people and workers of that country.

(Document marked "Bridges Exhibit No. 13," and retained in committee files.)

Mr. ARENS. How about the slave labor camps? Is that all lying, slanderous propaganda?

Mr. BRIDGES. Including that, too. Instead of depending upon anything, anybody else, send a trade union delegation over to see if they can have any better luck than we did.

I said that, that is right, and I am still saying it now. Maybe the committee will join with me and let us jointly suggest to the American Federation of Labor to send some trade union delegations over to find those slave labor camps.

Isn't that a good suggestion?

The CHAIRMAN. Just a moment, Mr. Counsel.

Mr. BRIDGES. How about the committee going over? I don't like congressional junkets, but I think that would be a good one.

The CHAIRMAN. It is not necessary for the A. F. of L. to make such a survey. They have already made it.

Mr. BRIDGES. They have?

The CHAIRMAN. Here it is.

Mr. BRIDGES. After all, Mr. Chairman, with all the nice things that congressional committees say about what happens in the labor movement, I am a little surprised to find so much championing of the A. F. of L. here.

The CHAIRMAN. Of course, when you are saying "championing, you are speaking of me because I happen to have a very good labor record.

Mr. BRIDGES. I am not questioning that. Maybe I myself might disagree, Mr. Chairman, but I am not questioning that at the moment.

My whole purpose in what I was saying there, and I said it there and I am saying it here, is that instead of boycotting a country and forbidding trade unionists to go over, the AFL-CIO ought to send some people over and I hope you give them passports. I went to my own membership.

The CHAIRMAN. If you got a passport, certainly anyone in the A. F. of L. ought to be getting one.

Mr. BRIDGES. That is why I wonder what I am doing here, Mr. Chairman. You are proposing to pass legislation to prevent tainted people from going overseas. It seems to me I am about your worst subject. If I can't get a passport after two trips to the Supreme Court and a half a dozen hearings giving me a clean bill of health, what chance is there for the average citizen? What am I doing here?

Mr. ARENS. Mr. Bridges, did you in your conversation with the officials in the American Embassy in Moscow ask them about the attitude of Soviet citizens toward their trade unions?

Mr. BRIDGES. Yes.

No; I asked the Soviet citizens—

Mr. ARENS. I said did you ask at the American Embassy about the attitude of Soviet citizens toward their trade unions?

Mr. BRIDGES. Yes.

Mr. ARENS. While you were at the American Embassy in Moscow, did they read you a portion of certain exchanges at a public lecture on Soviet trade unions which was held in Moscow in 1958?

Mr. BRIDGES. Yes.

Mr. ARENS. Did you tell the Commonwealth Club about this?

Mr. BRIDGES. No.

Mr. ARENS. Let me read this to you and see if this is a true and correct account of some of the exchanges which the U.S. Embassy officer read to you while you were in Moscow, which took place between members of a Soviet audience and a speaker at a public lecture on Soviet trade unions in 1958:

Question. All you said about widening union rights was said years ago by Lenin. Why weren't his views carried out?

Answer. There were many conditions that interfered; chiefly, there were not enough members in the unions until the present time.

Question. Why do we have wages of 230 rubles a month?

Answer. N. S. Khrushchev already has spoken about this. In addition, I have mentioned the 500 ruble minimum wage to be introduced under the new plan.

Question. Tell us about unions abroad, particularly about the Yugoslav Workers' Councils.

Answer. There is not time to discuss foreign unions. Regarding Yugoslav Workers' Councils, we have objectively studied them and decided they were unnecessary and besides, would only serve to weaken the existing factory union committee.

Question. If the unions are democratic bodies, why are there many high union officials who have not been elected to their positions by union congresses?

(Here a voice from the audience called out, "They are recommended by the Central Committee of the CPSU.")

Answer. That is true. These people are recommended by the CC of the CPSU, and there is no reason why they should not serve as union officials.

Now, Mr. Bridges, did the American Embassy officials in Moscow read you word for word the language which I just read to you?

Mr. BRIDGES. It might not have been word for word, but, as far as I can recall, it is almost word for word and they read it.

(Document marked "Bridges Exhibit No. 14," and retained in committee files.)

Mr. ARENS. Did you make any report of this either in your article, "On the Beam," carried in the Dispatcher, or in your interview with the Communist papers, or in your speech before the Commonwealth Club in San Francisco?

Mr. BRIDGES. I didn't before the Commonwealth Club, as far as I can recall, but I will certainly tell you that I didn't say anywhere what I wanted to say. I didn't have the time there but I will certainly be willing for a return appearance.

Mr. ARENS. Now, would you kindly answer the question: Did you make any reference—

Mr. BRIDGES. No, I told you I didn't.

Mr. ARENS. —In either your interview with the Communist paper, your article "On the Beam" in the Dispatcher of the ILWU, or before the Commonwealth Club?

Mr. BRIDGES. I don't know. I have answered on the Commonwealth Club. The answer is "No".

Second, the article "On the Beam," I don't know. I can't recall. We wrote a lot of stuff; and third, I don't recall whether I mentioned it in the interview.

My recollection is that I did.

Now, why don't you explain just what that is all about, Mr. Counsel, because that is not a point to illustrate what you are saying.

Mr. ARENS. The query outstanding is: Why did you not explain what it was all about when the Embassy officials called your attention to the colloquy existing in a Soviet people's organization, their protesting the fact that the union officials are not elected, but they are designated by the Central Committee of the Communist Party?

Now, Mr. Bridges, in connection with that, did you inquire or discuss with the trade union leaders in the Soviet Union, the new drive which is now in vogue in the Soviet trade unions for the establishment of workers' courts in the thousands of factories throughout the Soviet Union?

Mr. BRIDGES. Don't move so fast. Back up to where we were. I will answer this one in a minute, the one you just asked me, but stay on the other one first.

Look. One of the reasons we didn't mention this is that they were the two gentlemen in the Embassy who attended this lecture. This was a lecture, a meeting, a public meeting and in the course of this lecture that was taking place. This is in Moscow, mind you, where there is no free speech and there were these trade unionists getting together and they were nailing this government official with these questions and the questions were being asked and answered and the Embassy people were putting this forward as some indication that the lid was coming off, there was more freedom for the people, in other words. So this is the meeting of this here.

Mr. ARENS. To your mind, does it indicate that there is additional freedom when the leader of the trade union movement answers a question protesting the lack of democracy in the union groups by saying that the officials of the union are designated and recommended by the Communist hierarchy, and therefore they are properly installed as leaders of the union?

Mr. BRIDGES. All I know about that is that this was told to us by the representative of the Embassy. That is all I know about it.

Mr. ARENS. Mr. Bridges, did you discuss this with the trade union leaders?

Mr. BRIDGES. Is it important, Mr. Counsel, that they were telling us this as a part of our inquiries on slave labor camps where they said

there had been changes made as well as to illustrate that some of the workers were complaining about how the trade unions were run. That was their point.

Mr. ARENS. Did you regard this as an important conversation?

Mr. BRIDGES. Yes.

Mr. ARENS. Then why did you not relate it to your Commonwealth Club audience, and why did you not use it in your articles in the Dispatcher, and why did you not allude to it in your interviews with the Communist papers in Europe if it is an important element?

Mr. BRIDGES. Because ever since I have been back I have been speaking and writing reams. I am not a writer. I am a longshoreman. I am a trade unionist. Give me time. I have only been back a few weeks. Now, that is the answer.

Mr. ARENS. All right.

Mr. BRIDGES. Is it settled? That is the answer.

Mr. ARENS. Mr. Bridges, did you discuss with the trade union leaders in the Soviet Union the drive which is now in vogue to establish the workers' courts in the thousands of factories throughout the Soviet Union?

Mr. BRIDGES. No.

Mr. ARENS. Did you make any inquiry about that?

Mr. BRIDGES. The Embassy people didn't call them that.

Mr. ARENS. Did you make any inquiry respecting the workers' courts which are being established now in the thousands of factories throughout the Soviet Union?

Mr. BRIDGES. What are the courts for?

Mr. ARENS. For the purpose of stamping out the last vestiges of capitalism according to your colleague, George Morris, labor writer for the Communist weekly, The Worker.

Mr. BRIDGES. Well, I am mixed up. I thought you were referring to something else.

No; we didn't discuss that.

Mr. ARENS. Now, did you learn while you were in the Soviet Union—

Mr. BRIDGES. Understand, Mr. Arens, we were in the Soviet Union 4 days. You are trying to make me out an expert on a country as complex as that country on a 4-day visit.

Mr. SCHERER. I thought you were when I read your speech before the Commonwealth Club.

Mr. BRIDGES. What was that?

Mr. SCHERER. I thought you were an expert when I read your speech.

Mr. BRIDGES. The first statement calls attention to the fact that I am not so stupid as to pose as any kind of an expert on the basis of a visit to any country for 4 days.

If you will read my speech, you will find I start out that way.

Mr. ARENS. Your friend, George Morris, wrote an article under date of March 29, 1959.

Mr. BRIDGES. What has that to do with me?

Wait a while. He has been over there about 6 months.

Mr. ARENS. You went over to make a study of the conditions in the Soviet Union and you have written a series of articles, one appearing every few days.

Mr. BRIDGES. Read my articles. Never mind George Morris. Read my articles. That is what I found out.

Mr. ARENS. The basis of my question is why is it we do not see in your articles, why is it we did not hear in the Commonwealth speech, why is it we did not see in the interviews you gave over in Europe expecting a paradise in the Soviet Union any reference to people's courts which even George Morris in the Communist Worker of March 29, 1959, describes in this language:

* * * the current fast-spreading drive for "friendly courts" and "friendly teams" already organized in thousands of factories and communities to wipe out the "last vestiges of capitalism" * * *. This responsibility, jointly undertaken with the Communist Youth League, takes the form of vigilant teams for the maintenance of order, and "trials" of offenders before factory or youth collectives.

Mr. BRIDGES. Who is calling it a paradise, you? You are getting me mixed up. I try to stay on the beam. Who is calling it a paradise? I am not. It is not my idea of a paradise but you seem to be pounding away trying to get me to say it is a paradise. I haven't said it. I won't say it now. Do you want to get into a few things that I think is wrong with the place?

(Document marked "Bridges Exhibit No. 15," and retained in committee files.)

The CHAIRMAN. Ask a question, Mr. Arens.

Mr. BRIDGES. If you read my articles you will see that when I went to Moscow I thought that the people were more tense and far less relaxed and were in one hell of a hurry.

I made the point that you would never get the workers I represent to work as hard as those people.

Mr. ARENS. When you were in Moscow, did you meet with James Jackson?

Mr. BRIDGES. No, who is that?

Mr. ARENS. Member of the National Committee of the Communist Party of the United States.

Mr. BRIDGES. No.

Mr. ARENS. While you were there, did you meet with Morris Childs?

Mr. BRIDGES. No.

Mr. ARENS. Did you meet with any other of the top Communists from the United States other than with George Morris?

Mr. BRIDGES. The only people that I remember seeing there in addition to Morris, Morris is the only one. Morris was a reporter for the Daily Worker. I have known Morris since 1934. He came around to the hotel. I came back to the hotel. He was waiting there and said "Come in. I need a beer," and we went and had a drink.

Mr. ARENS. Did you inquire while you were in the Soviet Union respecting when the last Soviet trade union had a strike?

Mr. BRIDGES. Yes.

Mr. ARENS. What did you learn?

Mr. BRIDGES. Outside of a few small disputes that were called local walk-offs, there hadn't been any.

Mr. ARENS. Were you quoted correctly in the Daily People's World of March 7, 1959, with reference to strikes by trade unions in the Soviet Union as follows:

"The unions are so powerful there, they have so much to say in the economy of the country that they don't have to strike."

Is that a correct quotation?

Mr. BRIDGES. I would suggest you read my own articles, signed by me, on that subject instead of quoting some newspaper.

Mr. ARENS. Is that a correct quotation of you, however?

Mr. BRIDGES. I don't know. Read the article.

Mr. ARENS. Would you kindly tell us whether or not in your judgment you were truly quoted in the Daily People's World of March 7th with respect to strikes in the Soviet Union, as follows: that "Unions are so powerful there, they have so much to say in the economy of the country that they don't have to strike."

(Document marked "Bridges Exhibit No. 16," and retained in committee files.)

Mr. BRIDGES. I will say, read the official report that I presented to our convention, to my membership. Do you want the copy of it?

Instead of quoting to me what I have said about that subject from some newspaper, quote the official report I made to my union whom I am responsible for, signed by me. It has been presented to them and passed by them.

Mr. ARENS. We would be very happy to have that.

Mr. BRIDGES. You would? Let's dig it out right now and save you a lot of trouble and save me a lot of thinking. How about it? All right?

Mr. ARENS. Do you have it with you?

Mr. BRIDGES. I sure have.

Mr. ARENS. Mr. Chairman, could we take about a 2-minute recess?

The CHAIRMAN. The committee will take a recess of 5 minutes.

(Short recess.)

(Members of the committee present at the time of recess: Messrs. Walter, Moulder, Doyle, Willis, Scherer, and Johansen.)

(Members of the committee present at the expiration of the recess: Messrs. Walter, Moulder, Doyle, Scherer, and Johansen.)

The CHAIRMAN. The committee will be in order.

Go ahead, Mr. ARENS.

Mr. ARENS. Did you discuss with the Soviet Union people the forthcoming "Pacific-Asia Dock Conference" to be held in Tokyo?

Mr. BRIDGES. I don't specifically remember. We had 3 or 4 days and notes of constant discussions about trade union matters of all kinds. I am sure it came up. I have no specific recollection.

Mr. ARENS. And where did you go after you left the Soviet Union?

Mr. BRIDGES. Copenhagen, Denmark.

Mr. ARENS. How long were you there?

Mr. BRIDGES. Two or three days.

Mr. ARENS. And did you discuss with the trade union people there the Pacific-Asia conference?

Mr. BRIDGES. Yes.

Mr. ARENS. Did you invite any of them to send delegates?

Mr. BRIDGES. Once again I say the invitations were up to the sponsoring committee. That wasn't my job. The reason I tell you about that is that one of the trade union officials we were discussing things with was also the International Transport Federation representative for the Scandinavian countries.

The CHAIRMAN. May I interrupt at this point, Mr. Bridges?

Mr. BRIDGES. Yes.

The CHAIRMAN. I notice that most of these conferences were with transport unions.

Mr. BRIDGES. Yes.

The CHAIRMAN. Did this have anything to do with any plans that you and Mr. Hoffa might have for putting together all of the transport workers in the world?

Mr. BRIDGES. Not specifically. I will tell you what it has something to do with.

The CHAIRMAN. You say "not specifically." To what extent was there a plan or is there a plan to organize all the transport workers of the world?

Mr. BRIDGES. None. Do you mean with respect to Mr. Hoffa?

The CHAIRMAN. Yes.

Mr. BRIDGES. I do not know of any plans of that kind with Mr. Hoffa. I thought you were dealing with the trade unionists in Denmark. One of the reasons for our trip, Mr. Chairman, is very simple. It appears that they are trying to make something else out of it, but let me put it this way. Longshoremen are peculiar in the sense that in every country of the world, whatever language, whatever union affiliation or political affiliation, we all work for the same employers.

Now, our factories are ships that move around the world, and I have found out that they generally have the same ideas and talk more or less a common language and have the same approach to their problems.

We have a contract coming up very soon. At least our contracts on the west coast end June 15. We might get into trouble.

The CHAIRMAN. You might what?

Mr. BRIDGES. We might get into trouble in the sense that the men might decide to walk out which they will only do after they vote and we have always followed a policy, and it is a two-way street, that when we get into trouble if we think we need a helping hand from other countries, we ask them not to work the ships.

We send out the word and ask the people in other countries to shut them down, and when they send out word to us in the event of a strike and they ask us, "Don't work those scab ships," we try to return the favor.

Mr. SCHERER. That would be a worldwide economic boycott, would it not?

Mr. BRIDGES. In that sense. We have never been able to do it.

Mr. SCHERER. That is what you are trying to do?

Mr. BRIDGES. No.

Mr. SCHERER. That was the purpose of your visit primarily, was it not? You are not fooling anybody.

Mr. BRIDGES. Now, how can you say I am fooling anybody when I just—

Mr. SCHERER. I said you are not.

Mr. BRIDGES. You mean you?

Mr. SCHERER. That is right.

Mr. BRIDGES. You are not fooling me either. I am not pretending to fool anyone. I am trying to answer questions here. I asked the chairman, "Do you want me to explain the real purpose of the visit?"

I explained it, and then you try to accuse me of fooling people. I am not trying to fool anyone.

Mr. JOHANSEN. If a request not to work ships came from a Communist country, would it be honored as if it came from any other country?

Mr. BRIDGES. Yes.

Mr. JOHANSEN. Would it be honored if you had reasons to believe that it was for purposes directly to the detriment of the United States? Would you still honor it?

Mr. BRIDGES. What kind of a request would that be?

Mr. JOHANSEN. I am asking you if there were such a case in which you had reason to believe that it was to the detriment of the United States, would you honor that request?

Mr. BRIDGES. Let me put it this way. I represent a union. The people that determine the actions in a case like this are the union membership. Unless they have reason to believe that the cause is worthy we couldn't move them.

Now, they have very definite ideas of what is a scab ship or hot ship. I don't conclude from this discussion, these questions, that this committee doesn't know, especially the chairman, who has a good union record, he knows the meaning of scab work or scab ships. Our membership wouldn't do it even if I asked them.

Did I answer the question?

Mr. JOHANSEN. Proceed.

Mr. ARENS. Did you receive a bulletin from the World Federation of Trade Unions, dated July 12, 1950, which called upon all affiliated organizations to "take all immediate and indispensable action to defeat the diabolical plans of the American warmongers and to support their brother unionists in Korea who are fighting alongside the whole Korean people for liberation of their country"?

Mr. BRIDGES. Yes. As far as I recall we did.

Mr. ARENS. And did you, as an individual and as head of ILWU, take a position to try to defeat the plans of the American Government to support the South Koreans?

Mr. BRIDGES. No; I had a position, if you want me to give it to you.

I proposed at the time, and I was thrown into jail for it, that the fighting should stop, people should cease fire, return to their respective positions and refer the matter to the United Nations. About 100,000 casualties later that was done. That is what I proposed. It's a matter of official record in the minutes of my own union meeting.

Mr. SCHERER. That was the Communist Party line at that time, too, was it not?

Mr. BRIDGES. I am sorry. I didn't ask anybody. I know what I said at the time but I thought eventually the armistice was settled on that basis.

Mr. ARENS. In June of 1952, did you join in a statement that "U.S. denials of using bacteriological warfare in Korea are less than convincing"?

Mr. BRIDGES. When?

Mr. ARENS. On June 9, 1952.

Mr. BRIDGES. Join with whom?

Mr. ARENS. Other persons.

Mr. BRIDGES. I don't know.

(At this point, Mr. Tuck entered the hearing room.)

Mr. ARENS. I display to you now, if you please, sir, a photostatic reproduction of an article appearing in the Communist Daily People's World of June 9, 1952, in which a number of persons joined in sending a letter to President Truman, declaring that the U.S. denials of using bacteriological warfare in Korea are less than convincing, bearing a number of signatures, including the signature of Harry Bridges, president, International Longshoremen's and Warehousemen's Union. Kindly look at that article as I display it to you and tell this committee while you are under oath whether or not you joined in that statement.

(Document handed to witness.)

Mr. BRIDGES. I am in a mighty lot of good company here. Look.

Mr. ARENS. Would you kindly answer the question, sir? Did you join in issuing that statement which I have just recited?

Mr. BRIDGES. I am trying to find what relevance this has to me getting a passport.

Mr. ARENS. It certainly should be clear on this record that this committee is trying to develop factual information for the purpose of precluding passports to individuals whose presence abroad would be detrimental to the security and interest of this country.

Mr. BRIDGES. I am not going to go by memory. I am not going to go by newspaper statements.

Mr. ARENS. Did you or did you not join in that statement?

Mr. BRIDGES. My answer is: "Produce the official statement. I don't know about that."

Mr. ARENS. Do you have any recollection of joining in that statement?

Mr. BRIDGES. No.

Mr. ARENS. Mr. Bridges—

Mr. BRIDGES. Now, listen. I can see what is going on here. When I say I have no recollection that doesn't necessarily mean that I did or I didn't. You hand me a newspaper here.

The CHAIRMAN. That is right. You do not remember whether you did or not?

Mr. BRIDGES. I could have. I don't remember. It's years ago and I get a lousy newspaper statement here and you ask me to go according to memory. I merely say, produce the document. It must be around somewhere.

(Document marked "Bridges Exhibit No. 17," and retained in committee files.)

Mr. ARENS. Mr. Bridges, were you on the sponsoring committee for a Vienna peace meet in 1952?

For the purpose of refreshing your recollection, I direct your attention now to the Communist Daily Worker, November 11, 1952, in which an article appears as follows:

West Coast longshore leader Harry Bridges has joined the U.S. Sponsoring Committee for Representation at the Congress of the Peoples for Peace, it was announced today by Dr. Willard Uphaus, the committee's executive director.

Kindly look at that article and see if that refreshes your recollection with reference to your sponsorship of that meeting in Vienna.

(The document was handed to the witness.)

Mr. BRIDGES. I have no recollection but, reading this, if I was asked, I probably did. I am willing to sponsor any convening of any meeting for world peace.

(Document marked "Bridges Exhibit No. 18," and retained in committee files.)

Mr. ARENS. Did you know that meeting held in Vienna in December 1952 had as one of its principal pronouncements a condemnation of the United States of America for allegedly engaging in bacteriological warfare in Korea?

Mr. BRIDGES. Did I know?

Mr. ARENS. Yes, sir.

Mr. BRIDGES. You are asking me did I sign a proposal or join in sponsoring. Then you are asking me something about what happened there.

Mr. ARENS. Yes, sir. Did you know that organization which you sponsored issued a proclamation condemning the United States for engaging in bacteriological warfare in Korea?

Mr. BRIDGES. I don't remember but I possibly couldn't figure out what was going to happen exactly at that conference.

Mr. ARENS. Did you learn that the organization which you sponsored condemned your Government, the Government of the United States, for engaging in bacteriological warfare in Korea?

Mr. BRIDGES. I don't know. I am sure if I signed to sponsor that conference, it appeared in more papers than just the one that you, with your fine degree of selectivity, picked out. Maybe it appeared in some capitalist papers.

Mr. JOHANSEN. May I ask, with respect to this matter of the denials of germ warfare and participation in it by the United States being less convincing, do you now adhere to that view?

Mr. BRIDGES. I don't think the evidence is convincing. It's a pretty mild statement, "less than convincing," and there is a trial going on. There has just been one trial in San Francisco where the question of bacteriological warfare played a big part in that trial with a couple of people being tried.

Another case is coming on and some of the evidence developed there, I think, will support the statement "saying that we don't indulge in bacteriological warfare is less than convincing." I don't want to conceal anything, Mr. Johansen. I think our War Department has a department that is set up for that express purpose and it has not been outlawed as yet, and I hear enough statements and war cries of generals saying "if and when war starts anything goes," if you want to, ask me the direct question.

Mr. JOHANSEN. My question related directly to whether you believe, with respect to the allegation specifically regarding the Korean war, that the claims that it was not true were less than convincing.

Mr. BRIDGES. Yes. It seems to me that that was the nature of the question that there was a blanket denial that we wouldn't do such a thing and hadn't done such a thing, and I would say they weren't too convincing, in my mind.

To get back to the other thing, let's refer to what is going on here, Mr. Johansen, you see. There is a lot of things I do that usually, much to my disgust, many times appear in all kinds of papers, but what has been singled out here is the Communist Daily Worker, the

Communist People's World. In other words, the way the committee is operating, the only time these things appear, there is the Communist this or that. That is dirty pool.

Mr. JOHANSEN. Is the Commonwealth Club of San Francisco a Communist organization?

Mr. BRIDGES. It is a very conservative organization.

Mr. JOHANSEN. That is what I thought.

Your statements before them were quoted.

Mr. BRIDGES. They certainly were and I haven't denied a single one of them.

Mr. JOHANSEN. No; but you are trying to create the impression that the only sources of quotations are from Communist papers.

Mr. BRIDGES. They seem to be mighty frequent here and it is emphasized time after time, did I say this in this Communist publication, et cetera, et cetera.

The answer is probably yes, and I also said it through many, many other newspapers. That is my point.

Dig out a few more.

(Mr. Moulder left the room.)

Mr. ARENS. Mr. Bridges, do you expect next month to go to Tokyo to participate in the Pacific-Asia Dock Conference?

Mr. BRIDGES. Yes.

Mr. ARENS. Do you have a visa to go to Tokyo?

Mr. BRIDGES. Not yet.

Mr. ARENS. You have a U.S. passport, however?

Mr. BRIDGES. I do.

Mr. ARENS. Had you ever applied for a U.S. passport prior to the Kent-Briehl decision?

Mr. BRIDGES. No, Mr. Arens. There was too many people in this country trying to get me out without a passport—including the U.S. Government, for a long, long time.

Mr. ARENS. Had you ever traveled abroad prior to the time of the Kent-Briehl decision?

Mr. BRIDGES. I get the point. I tried to explain that today. The reason I didn't apply for a passport—

Mr. ARENS. No; just answer that first question.

Mr. BRIDGES. Was because I—certainly, I traveled all over. I used to be a seaman.

Mr. ARENS. After you arrived in the United States for permanent residence, did you ever travel abroad prior to the time that the Supreme Court announced the Kent-Briehl decision?

Mr. BRIDGES. No; I told you the story on that. Nearly 25 years the Government was trying to run me out.

Mr. ARENS. With the U.S. passport you are going to go to the Pacific-Asia Dock Conference, too?

Mr. BRIDGES. I hope so.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

The CHAIRMAN. Any questions, Mr. Doyle?

Mr. DOYLE. Yes.

The CHAIRMAN. Go ahead.

Mr. DOYLE. May I inquire, please, and ask your cooperation in reverting back to your statement about the common interest that your

union, in fact the dockworkers all over the world have? Because you have a common employer in that even though it is under different flags.

Mr. BRIDGES. Right.

Mr. DOYLE. You work for ships that travel the high seas to different countries.

Mr. BRIDGES. Every port we went to, Congressman, I saw ships there being worked in the various ports that our same men had worked on the Pacific coast.

Mr. DOYLE. Yes; I can understand that.

May I ask you this. When you went to France and to England or to the Netherlands, wherever you went, and they were seacoast nations, in your conference with fellow trade unionists of other languages, nationalities, did you discuss directly or indirectly the matter of what the uniform policy should be between your union and the other unions with reference to strikes? In other words, you stated a few minutes ago in substance, as I understand you, if the union in another nation asked your union to strike because they were on strike, of course you would do it in reciprocity.

Mr. BRIDGES. Right.

Mr. DOYLE. That is true; didn't you say that?

Mr. BRIDGES. Right.

Mr. DOYLE. Then I presume from that answer that if your union asked a union dealing as dockworkers, handling freight, on the high seas, for England or France, or any other nation, if you asked them to strike because you struck, even though they didn't know anything about the merits of it, simply the fact that your union struck, they would strike, in reciprocity?

Mr. BRIDGES. Oh, no. No. You are off the beam, Congressman.

Mr. DOYLE. Put me on the beam, please.

Mr. BRIDGES. I will be glad to.

Mr. DOYLE. To what extent is my question based on sound reasoning?

Mr. BRIDGES. Well, you see the way it works, if we, let us say, have a strike on the Pacific coast, now if the ships are not worked, that is if strikebreakers are not used to load the ships, then of course that cuts down the possibility of trouble.

Mr. DOYLE. That is right.

Mr. BRIDGES. Our reference is within that framework, that if we go on strike and if our employers use strikebreakers to get the ships away, we merely ask ports everywhere we can reach and we don't play any favorites, don't work that ship, she is hot as a firecracker. So it is not a strike, it is not that they all walk out on strike.

Let me give you a better example. I think it makes it clearer. We were in London, England. The biggest union in England is the Transport and General Workers Union. Most of our discussions were with Mr. Frank Cousins and Mr. Tim O'Leary. Mr. Tim O'Leary is head of the dockers section of the Transport and General Workers and Mr. Cousins is the president of the International Transport Federation.

One of the No. 1 demands of the British longshoreman is a pension plan like we have. We have \$100 a month in addition to social security.

So we were speaking of men working on the British docks, working very hard, too, 70 as high as 83 years of age, and I merely pointed out that the British shipowners, and we work their ships on the Pacific coast—we tax them 23½ cents a ton for every ton of cargo handled for a pension for our workers here in America. Charity begins at home. If those British shipowners, and I never yet ran into any bankrupt shipowners, if they can pay a tax to pension off our long-shoremen here in America, they ought to be able to afford it in Britain. If and when the British union says the word, "Don't work British ships until they pay us a pension," I will recommend the union I represent not to work British ships.

Mr. DOYLE. Thank you for that statement.

Mr. BRIDGES. Is that clear?

Mr. DOYLE. Yes. That is clear as crystal to me.

Mr. BRIDGES. A good union program, too, isn't it?

Mr. DOYLE. I conclude from that statement and that explanation that you made, that right now there is a reciprocity between the trade unions of many of the nations of the world with your union, that if the British trade union dockworkers or any other shipping union, any place in the world, perhaps, if they decided to strike for any reason, and ask you to cooperate, your union would cooperate in a manner of reciprocity and vice versa?

Mr. BRIDGES. I think again you are off the beam. You are talking about something cut and dried. Here is as far as it went. As a matter of fact, in our discussions with the officers of the British trade union they, in effect, said, "Well, we think we will make it without anything like that." So they made no request.

I merely said "but if you reach the point where you think we can give you a hand along those lines, let me know and we will take it up with the union." I was in no position to guarantee it, you see. I say generally that was the case, whether it be in France, Germany, or any other place. Then we had another problem, you see, that is—

Mr. DOYLE. I think you explained my question.

But I wish to say to you, sir, that my impression is from your prior statement and even now that there is enough reciprocity from what you say between the dockworker unions in the world to result, if you say so, as far as the American union is concerned in a shipworkers—dockworkers strike, if it is of common interest and concern in your judgment between the dockworkers of the world, whether it is on fringe benefits or whether they hire nonunion workers or whatever the cause. Am I wrong?

Mr. BRIDGES. Well, if I understand the question, I think you are right, Congressman. In other words, that if we wanted to get an increase in wages, for example, I can only talk to the union I represent. That is, in this case, the dockworkers on the west coast—

Mr. DOYLE. That is right.

Mr. BRIDGES. And that we thought the situation was urgent enough to send out a request for help to dockworkers in other countries, you would say there has already been enough understanding established that we would get a response, maybe not a complete response but a partial response.

Mr. DOYLE. That is right.

Mr. BRIDGES. I think that is true.

Mr. DOYLE. Would you yield for one more question?

Mr. BRIDGES. That is exactly what we are after.

Mr. DOYLE. Of course it is.

Mr. BRIDGES. What is the matter with it?

Mr. DOYLE. As I see it, to be frank with you, the danger of it is that the whole shipping program of the United States of America, commercial ships at least, is controlled by unions who have an understanding at this time, so far as the dockworking is concerned.

Mr. BRIDGES. Gee, I wish—the union sure wishes that was true, Mr. Congressman. But it is not true.

Mr. DOYLE. And there is great danger in your wish.

Mr. BRIDGES. The unions control the shipping situation.

Mr. DOYLE. Of the world, yes.

Mr. BRIDGES. Never mind the world. I am talking about America. I am talking about the United States.

Mr. DOYLE. All right. I think there is great danger to our national interests in that one union, your union, as I take it, controls the dockworkers of America.

Mr. BRIDGES. We don't.

Mr. DOYLE. How near do you come to doing it?

Mr. BRIDGES. What do you mean? We don't control a thing. The workers in the union control the union.

Mr. DOYLE. But you are employed by the workers in the union which controls the dockworkers of our country.

Mr. BRIDGES. And they control me and you know that is true, Congressman Doyle. You are from California and you know our rules, probably better than any member of your committee. You know we have a rule in our union that 15 percent of the members in good standing can sign a petition in my union and remove me from office like that, because my nose is too long. You know that, don't you?

Mr. DOYLE. Now, may I be permitted to close?

In view of your statement that you think I am more or less well informed on the shipping problems on the Pacific coast, because I am proud of the fact that I was born in California and have lived there all my life—

Mr. BRIDGES. I am a resident by choice.

Mr. DOYLE. I wish to say, Mr. Bridges, I think it is common knowledge among we citizens of California at least that on account of your leadership ability, your tact, your organizational ability, you, yourself, are more than just the elected employee of the dockworkers of the country.

Mr. BRIDGES. I am the president.

Mr. DOYLE. In other words, you compliment your union members by saying they elect you. I compliment you by saying that they elect you because of your leadership abilities, very clearly proven. The thing I am getting across to you, that when you answered my questions as you have today, I want you to realize that you are in a position of very unusual, very great, not only of leadership but of worldwide responsibility. And what you do in your union, generally speaking, your union does.

Thank you very much for answering my questions.

The CHAIRMAN. Any questions, Governor?

Mr. TUCK. I have no questions.

The CHAIRMAN. Mr. Scherer.

Mr. SCHERER. Mr. Bridges, I believe in the early part of your testimony you referred to Chiang Kai-shek as a bum and said that you wouldn't hesitate to call a strike if it meant the tying up of shipping of materials that were to be sent to him by the Government of the United States, even though the President of the United States had concluded that was the thing to do.

Mr. BRIDGES. I never said that.

Mr. SCHERER. You didn't say that?

Mr. BRIDGES. That was your saying. I never said it. You asked me a question along those lines. I said we have to cross that bridge when we come to it and then counsel here dug up an interview with Mike Wallace and asked me had I been asked a question and answered certain lines at that time. I think I said that was the answer I made at that time, yes.

Mr. SCHERER. Yes, I think that you—

Mr. BRIDGES. I said Chiang Kai-shek was a bum. I said that, too. I will say it again.

Mr. SCHERER. Did you not say that you would not hesitate to call a strike if you felt that the sending of arms to Chiang Kai-shek was improper? Didn't you testify to that?

Mr. BRIDGES. No, I didn't. I think I said—

Mr. SCHERER. Then your recollection of the testimony is different from mine.

Mr. BRIDGES. I think it is. It is surprising how testimony here seems to get mixed up between myself and the members. But I think the record is the best evidence, your memory or mine, Mr. Congressman.

Mr. SCHERER. Mr. Chairman, I don't have any more questions but I do have an observation. It seems to me that it is almost inconceivable that a man like Harry Bridges, head of the Communist-dominated longshoremen's union, has so much power that he can tie up the shipping on the west coast and Hawaii, almost at will, either in time of war or otherwise. There is no question that on his recent trip he contacted Communist labor leaders throughout the world, so that a worldwide shipping boycott can be set up sometime in the near future. To me this demonstrates beyond a doubt, beyond the peradventure of a doubt, the need for labor legislation which will deprive men like Bridges and Hoffa of the unconscionable monopolistic power they have over the economy of the United States.

Mr. BRIDGES. That is not a true statement, Mr. Chairman.

And there are no facts to support it. I can understand Mr. Scherer's attitude if he feels that way. It is the same as his attitude of trying to deny statehood for Hawaii.

Mr. SCHERER. That is right. And since you raised the question, after listening to your testimony my vote against Hawaiian statehood looks much, much better.

Mr. BRIDGES. That is the difference between you and I, Congressman. I believe in democracy and practice it.

The CHAIRMAN. Mr. Johansen, do you have any questions?

Mr. JOHANSEN. Just one very brief question, Mr. Chairman.

For the purpose of understanding your position, Mr. Bridges, and clarifying the record, is it my understanding that you believe that there

is a basic right, shall we say, as a part of this belief in democracy, that the unions, by a majority vote or by power delegated to their president on the basis of their sentiments and views with regard to national issues, may take steps which interfere with national policy in the field of national defense and, particularly in case of war, through the interference with shipping or the handling of shipments called for in the prosecution of national defense or war?

Mr. BRIDGES. The best way I can answer that, Mr. Johansen, is to refer you to the record of our union. It is something that has never taken place. The questions that I was asked and the discussion took place in a certain area where I made it clear. Now you are asking me about a war to put Chiang Kai-shek back on the mainland of China. These were the questions I was asked and I said that by golly, I thought—

Mr. JOHANSEN. I wonder if the witness would direct his answer not to the questions that he is referring to that others asked, but the specific question which I asked.

Mr. BRIDGES. I am trying to, Mr. Congressman, believe me, and breaking it down, first to deal with the general question instead of taking what I say is an answer, I referred you to the record of the union I represent in wartime. It is as good or better than any single union in this country. Isn't that true, instead of asking me hypothetical questions? I won't give a hypothetical answer.

Mr. JOHANSEN. Pursuing that very statement, am I to understand that there has been no instance in which the type of thing that I described, which you referred to as hypothetical, has occurred in war?

Mr. BRIDGES. Right. Exactly; you are right on the nose, Congressman.

Mr. JOHANSEN. Does that mean that there has never been any instance, in which the handling of shipping for defense purposes, for the purpose of the prosecution of war or for the purpose of providing medical supplies for men engaged in war, has never been interfered with?

Mr. BRIDGES. Absolutely none to my recollection.

Mr. JOHANSEN. Is that true—understand, we are not quibbling over the question of whether the Korean war involved a declaration of war or not—is that answer true with respect to the Korean war?

Mr. BRIDGES. Yes, sir.

Mr. JOHANSEN. And is that true with respect to every instance, to your knowledge, in the handling of medical supplies or any other type of supplies for troops of the United States engaged in war?

Mr. BRIDGES. To the best—there might be some occasion. That is a pretty broad statement, Congressman. By and large it is true when you say any other type of supplies. Our experience in strikes, I am talking about strikes against private shipping operators, suddenly, everything on the damn ship is something that is needed by the troops or the Army or something like that. It suddenly becomes that kind of cargo as an excuse or as just a public argument. By and large, the answer to your question is, it has never happened.

Mr. JOHANSEN. I have just one other question.

Mr. BRIDGES. Have I made it clear, Mr. Congressman?

Mr. JOHANSEN. I am not pursuing that question further at this point.

Mr. BRIDGES. All right.

Mr. JOHANSEN. In some way or other, the reference to Chiang Kai-shek as a bum, has crept into this testimony. Would you characterize Mr. Stalin, or Mr. Khrushchev, or any of the world leaders of communism, by that same term?

Mr. BRIDGES. I think there is quite a difference.

Mr. DOYLE. May I have that answer again, please?

The CHAIRMAN. He said there is quite a difference.

Mr. BRIDGES. I said I think there is quite a difference.

Mr. Congressman, you are asking me—I assume that the purpose of asking these questions—why counsel is getting all agitated here—the purpose of asking these questions is not to get me out on the limb so you start some perjury indictments. I am speaking here pretty loosely. I am not consulting with counsel.

Mr. DOYLE. I agree with that on the last answer.

The CHAIRMAN. Some of the answers fall in the same category.

Mr. BRIDGES. I agree I have a right.

The CHAIRMAN. Anything further, Mr. Arens?

Mr. ARENS. No further questions.

The CHAIRMAN. The committee will stand adjourned to meet tomorrow morning at 10 o'clock.

Mr. BRIDGES. Am I excused, Mr. Chairman?

The CHAIRMAN. You are excused with the thanks of the committee.

Mr. BRIDGES. Thank you.

(Witness excused.)

(Present: Representatives Walter, Doyle, Tuck, Scherer, and Johansen.)

(Whereupon, at 3:50 p.m., Tuesday, April 21, the committee adjourned to reconvene at 10 a.m., Wednesday, April 22, 1959.)

(The following is inserted in the record at the direction of Congressman Gordon H. Scherer, see Part 2, Passport Security Hearings, April 22, 1959.)

INSIDE LABOR

Why Did Bridges Get Red Carpet?

By VICTOR RIESEL

During Harry Bridges' recent visit to Rome, the U.S. Embassy there rolled out a carpet for him as red as the politics and philosophies of the Soviet lands he loves so much.

Machine-gun-tongued Brother Bridges, whose union was ousted from the old CIO on charges of Communist domination, got very, very VIP treatment. Embassy officials not only rolled out the carpet, they rolled out one of the big U.S. cars so he wouldn't get footsore slogging over the ancient city.

Bridges, who says most of us lie about the great experiment behind the Bolshoi border was taken to lunch by his old neighbor, Ambassador J. D. Zellerbach. Because the Ambassador has been gracious to me with his hospitality and hors d'oeuvres exhortations against Italian Communists who have several times stormed his Embassy, I report quite gently that he has disturbed the State Department back home.

THE STATE DEPARTMENT'S AGITATION and investigation does not surprise me. I recall that during my recent visit to Rome I ran into one of the new American diplomats. He wasn't ugly at all. Not even in the striped shirt which now has replaced those imperialistic striped pants. He was no cookie pusher—he was a Harry Bridges pusher. Every man is entitled to choose his

own political sauce for his spaghetti. I prefer the white to the red clammy variety served up by this expert.

What the State Department now wants to know of its experts in Italy is why they made it so gay for Bridges during the days the head of the Pacific Coast Longshoremen's Union was visiting the very same Communist chief who had helped organize and whose followers have howled in anti-U.S. and anti-NATO riots.

HARRY BRIDGES' COMRADE-IN-ARMS during the Rome stay was Communist Party labor chief Agostino Novella. This comrade has done everything he can to weaken America's defense alliance with Italy and to dislodge us from our military bases, waterfront and naval stations there. By our I mean, of course, the NATO defense network, too.

Now, lest you think that Comrade Novella is just another Communist member of the Italian Parliament and leader of powerful pro-Soviet labor cadres, I rush to report that the brother has just been promoted. Harry Bridges' friend and host was appointed the head of Moscow's global labor network last week in Warsaw.

TOVARISCH NOVELLA NOW IS chairman of the Soviet-controlled labor apparatus known as the World Federation of Trade Unions. He was "unanimously" named the boss at the 19th session of the WFTU executive board—all appointed by Moscow. They gathered in Warsaw four days starting April 2.

This is the world network which has been running almost daily riots in Italy, disrupting railroads in Mexico, ripping up oil lines in the Near East and making plans for new "mass" riots.

WHEN BRIDGES RETURNED to the San Francisco-Anchorage (Alaska)-Hawaii triangle in which he is truly all powerful, he praised the East, knocked the West and invited two leading Russian unionists to address his Longshoremen's Union convention.

For this he deserves a red carpet? ? ? ? ?

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Reddy

SAC, New York

August 4, 1959

Director, FBI (61-7552)

COMMUNIST TRAINING OPERATIONS
HEARING BEFORE HOUSE COMMITTEE ON
UN-AMERICAN ACTIVITIES
PUBLIC SESSION
July 22, 1959

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/9/82 BY SP6 JRP/PH

Rebulet July 23, 1959.

12-5-89 SP8 JRP/PH
01/2/84 - SP8 MDC/GCL - JFC

Attached is a photostat of a transcript of a hearing before the House Committee on Un-American Activities (HCUA) on July 22, 1959, the purpose of which, as stated by Chairman Walter, was to look into the activities of individual communists who were engaged in teaching in noncommunist institutions as well as in all types of forums and schools operated by the Communist Party itself.

The following individuals, who are New York Security Index subjects, appeared in response to subpoenas: Leon Josephson, Henry Klein, Esther Cantor, Sidney Finkelstein, Susan Warren and Louis Weinstock.

With reference to the testimony of [redacted] [redacted] Washington Field has been instructed by separate communication to take the necessary action.

The attached transcript should be reviewed and pertinent data included in the next investigative report prepared regarding Josephson, Klein, Cantor, Finkelstein, Warren and Weinstock. Any other action indicated as a result of the review of the attached transcript should also be taken by the New York Office.

Enclosure 1 - 100-48754 (Josephson) 1 - 100-370103 (Finkelstein)
1 - 100-116133 (Klein) 1 - 100-339235 (Warren)
1 - 100-308142 (Cantor) 1 - 100-98594 (Weinstock)

EBR:pat
(10)

REC-99 61-7582-4230

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McGuire _____
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Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (61-7582)

DATE: August 3, 1959

FROM : SAC, CHICAGO (100-28823)

SUBJECT: HCUA - CHICAGO HEARINGS
May 5-7, 1959ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/9/82 BY SP-1

Re WFO letter 7/24/59 to Bureau entitled "HCUA" with which was transmitted to Chicago five copies of a pamphlet entitled "Communist Infiltration of Vital Industries and Current Communist Techniques in the Chicago, Ill., Area", said pamphlet being a transcript of the testimony rendered before a sub-committee of the HCUA at Chicago on May 5-7, 1959.

This pamphlet was received by Chicago during the week of July 27, 1959, and the review of same, as required by Bulet of November 20, 1958, to Houston entitled "HCUA; INFORMATION CONCERNING (SUBVERSIVE CONTROL)", has been started. The Agent handling this matter estimates that the project will necessitate the submission of some 64 letters to the Bureau under individual case captions, the same, of course, not counting the progress letters.

Bureau will be kept advised of progress being made.

- ② - Bureau (RM)
- 1 - Chicago

GCT:MAZ
(3)

REC-73

61-7582-4231

AUG 5 1959

EX-139

SUBV. CONTROL

AUG 10 1959

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Date: 7/30/59

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REASON-FOIA II
DATE OF REVIEW 3/9/92TO: DIRECTOR, FBI (61-7582)
FROM: SAC, HOUSTON (100-9523)
SUBJECT: HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES
MISCELLANEOUS INFORMATION CONCERNING
(INTERNAL SECURITY)RE: Bureau letter to Houston, dated 2/12/59.
Newark airtel to Bureau, dated 7/16/59.

The "Houston Post" newspaper, dated 7/30/59, carried a front-page article captioned "Red activity in City, State to be probed." This article was attributed to JIM MATHIS, Chief of Post Washington Bureau. The article reported the House Un-American Activities Committee planned a probe into "Communist propaganda infiltration into Houston in a September executive session." This article stated Chairman FRANCIS E. WALTER of the H.C.U.A. had confirmed that a committee hearing would be held at Houston. It was reported the initial inquiry had been handled by BILL WHEELER assisted by RAY COLLINS, staff investigators. It was further stated no definite date had been set for this hearing, but that it would probably not occur until after September 15, 1959. It was further stated no information had been released concerning the number of persons to appear as witnesses for the closed hearings. The article speculated that one witness might be [redacted] described as a U. S. Customs expert on communist propaganda, who reportedly testified previously at New Orleans, Louisiana, before the U. S. Senate Internal Security Subcommittee.

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- ③ - Bureau (RM) (AM) *kec* 1244.
1 - Dallas (Info.) (RM) (AM)
1 - El Paso (Info.) (RM) (AM)
1 - San Antonio (Info.) (RM) (AM)
2 - Houston

EX-139

12 JUL 31 1959

ED/jj
(8)Approved: *[Signature]*

Sent

Per *[Signature]*

Special Agent in Charge

~~CONFIDENTIAL~~ (U)

F B I

Date:

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(Type in plain text or code)~~CONFIDENTIAL~~ (U)Via _____
(Priority or Method of Mailing)

HO 100-9523

Above information submitted for information of Bureau and other Texas offices. Houston will alert Informants for any reaction of C.P. members at Houston and will advise Bureau of any pertinent information developed.

Houston will submit separate letter at early date containing recommendations regarding interviews of [redacted] former security informants of this office, and [redacted], an approved PSI, in accordance with Section 107Q of the manual of instructions and referenced Bureau letter. (U)

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~~CONFIDENTIAL~~ (U)Approved: _____ Sent _____ M Per _____
Special Agent in Charge

Office Memorandum

UNI

GOVERNMENT

RECTOR, FBI (61-7582)

DATE: 7/30/59

FROM

SAC, WFO (100-22169)

Attention: Records Section

SUBJECT:

HCUA

Security - Part I (Testimony of HARRY R. BRIDGES)."

Two copies of this Testimony are enclosed for the Bureau and four copies for the SF Office.

SF should review this testimony pursuant to current Bureau instructions relating to testimony of individuals appearing before HCUA.

3-Bureau (Encls.2)
(1-39-915)

1-San Francisco (Encls.4) (122-24) (RM)

2-WFO

(1-39-30)

JAC: pam
(6)

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